

A TRADITION OF SERVICE

INCIDENT REPORT

DATE 07-19-18 PAGE 1 OF 3

ACTION: ☒ ACTIVE ☐ INACTIVE ☐ PENDING | NON-CRIMINAL ☐ | # OF ADULT ARRESTS 0 | # OF SUBJECT DETENTIONS 0

URN#: 0 (RETENTION) 18 (YEAR) 05051 (SEQUENTIAL) 1517 (REPORTING DISTRICT) 013 (STAT CODE) | TAG# | CALL TIME 0137

CLASSIFICATION 1 / LEVEL / STAT CODE
ASSAULT WITH A DEADLY WEAPON ON A PEACE OFFICER-245(d)(1) PC/F/013

CLASSIFICATION 2 / LEVEL / STAT CODE
DEPUTY INVOLVED SHOOTING (SUSPECT DECEASED)

CLASSIFICATION 3 / LEVEL / STAT CODE

CLASSIFICATION 4 / LEVEL / STAT CODE

CONFIDENTIAL

ADDITIONAL STAT CODES: ☐ ASAP / 83 ☐ FIREARM RELATED / 830 ☐ GANG RELATED / 860 ☐ CYBER CRIME / 551 ☐ CYBER - RELATED CRIME / 552 ☐ CYBER - RELATED INCIDENT (NON - CRIMINAL) / 559 ☐ OTHER

DATE / TIME / DAY OF OCCURRENCE
07-19-18/0137 HRS/THURSDAY

☐ PRINTS REQUESTED ☐ PRINTS COMPLETED | REQUESTED BY | TIME

LOCATION OF OCCURRENCE
[redacted] SCHOOLING RD PICO RIVERA 90069

BUSINESS NAME

CODE: V - VICTIM • W - WITNESS • I - INFORMANT • R - REPORTING PARTY • P - PARTY

CODE	# of	LAST NAME	FIRST NAME	MIDDLE NAME	SEX	RACE	DOB	AGE	DRIVER'S LICENSE / STATE ID
V	1 4	LONGORIA	DEPUTY [redacted]		M	H	ADULT		

RESIDENCE ADDRESS: LA COUNTY DEPUTY SHERIFF | CITY | STATE | ZIP | RESIDENCE PHONE (Area Code)

BUSINESS / SCHOOL (GRADE) ADDRESS: 6631 PASSONS BL | CITY: PICO RIVERA | STATE: CA | ZIP: 90660 | BUSINESS PHONE (Area Code): 562-949-2421

ETHNIC ORIGIN: Mexican | EMAIL ADDRESS | SOCIAL NETWORKING ACCOUNT | CELL PHONE (Area Code)

VICTIM OF OFFENSE(S) (CLASSIFICATION) # 1 | VICTIM DESIROUS OF PROSECUTION? YES | VICTIM OF SEX CRIME DESIROUS OF CONFIDENTIALITY? NO | ENGLISH SPEAKING? ☒ YES ☐ NO | LANGUAGE

CODE	# of	LAST NAME	FIRST NAME	MIDDLE NAME	SEX	RACE	DOB	AGE	DRIVER'S LICENSE / STATE ID
V	2 4	LEAKE	DEPUTY [redacted]		M	W	ADULT		

RESIDENCE ADDRESS: LA COUNTY DEPUTY SHERIFF | CITY | STATE | ZIP | RESIDENCE PHONE (Area Code)

BUSINESS / SCHOOL (GRADE) ADDRESS: 6631 PASSONS BL | CITY: PICO RIVERA | STATE: CA | ZIP: 90660 | BUSINESS PHONE (Area Code): 562-949-2421

ETHNIC ORIGIN | EMAIL ADDRESS | SOCIAL NETWORKING ACCOUNT | CELL PHONE (Area Code)

VICTIM OF OFFENSE(S) (CLASSIFICATION) # 1 | VICTIM DESIROUS OF PROSECUTION? YES | VICTIM OF SEX CRIME DESIROUS OF CONFIDENTIALITY? | ENGLISH SPEAKING? ☒ YES ☐ NO | LANGUAGE

CODE: S - SUSPECT • SJ - SUBJECT • M - PATIENT • S/V - SUSPECT / VICTIM • SJ / V - SUBJECT / VICTIM

CODE	# of	LAST NAME	FIRST NAME	MIDDLE NAME	DOB	AGE	DRIVER'S LICENSE / STATE ID
S	1 1	DOE	JOHN		ADULT		

SEX	RACE	ETHNIC ORIGIN	HAIR	EYES	HEIGHT	WEIGHT	CELL PHONE (Area Code)
M	H	Unknown	Unknown	Unknown			

RESIDENCE ADDRESS | CITY | STATE | ZIP | RESIDENCE PHONE (Area Code)

BUSINESS / SCHOOL (GRADE) ADDRESS | CITY | STATE | ZIP | BUSINESS PHONE (Area Code)

AKA | EMAIL ADDRESS | SOCIAL NETWORKING ACCOUNT | ENGLISH SPEAKING? ☐ YES ☐ NO

MONIKER | CHARGE | BOOKING NUMBER | LANGUAGE | WHERE DETAINED OR CITE NUMBER: NIC

CODE	# of	LAST NAME	FIRST NAME	MIDDLE NAME	DOB	AGE	DRIVER'S LICENSE / STATE ID

SEX | RACE | ETHNIC ORIGIN | HAIR | EYES | HEIGHT | WEIGHT | CELL PHONE (Area Code)

RESIDENCE ADDRESS | CITY | STATE | ZIP | RESIDENCE PHONE (Area Code)

BUSINESS / SCHOOL (GRADE) ADDRESS | CITY | STATE | ZIP | BUSINESS PHONE (Area Code)

AKA | EMAIL ADDRESS | SOCIAL NETWORKING ACCOUNT | ENGLISH SPEAKING? ☐ YES ☐ NO

MONIKER | CHARGE | BOOKING NUMBER | LANGUAGE | WHERE DETAINED OR CITE NUMBER

ZAMBRANO, A [redacted] 16

PRV 152E

ST WATERS HOMICIDE [redacted] 7/20/18

NO NONE

YES

7/20/18
SL

COUNTY OF LOS ANGELES SHE[illegible]'S D[illegible]TMENT
INCIDENT REPORT CONTINUATI[illegible]

URN# 018-05051-1517-013

TAG#

CLASSIFICATION # / LEVEL / STAT CODE

CLASSIFICATION # / LEVEL / STAT CODE

CLASSIFICATION # / LEVEL / STAT CODE

VEHICLE

VEHICLE FOR VICTIM # | LICENSE (STATE & NUMBER) | YEAR | MAKE | MODEL | BODY TYPE | COLOR

VEHICLE FOR SUSPECT # | REGISTERED OWNER | IDENTIFYING FEATURES

STATUS | CHP 180 SUBMITTED? | GARAGE NAME & PHONE

DESCRIPTION OF DAMAGE

CODE: V - VICTIM • W - WITNESS • I - INFORMANT • R - REPORTING PARTY • P - PARTY

Field	Entry 1	Entry 2	Entry 3
CODE	V	V	
# of	3 of 4	4 of 4	
LAST NAME	STEPHENSON	CABRERA	
FIRST NAME	DEPUTY [redacted]	DEPUTY [redacted]	
MIDDLE NAME			
SEX	M	M	
RACE	W	H	
DOB	ADULT	ADULT	
AGE			
DRIVER'S LICENSE / STATE ID			
RESIDENCE ADDRESS	LA COUNTY DEPUTY SHERIFF	LA COUNTY DEPUTY SHERIFF	
CITY / STATE / ZIP			
RESIDENCE PHONE (Area Code)			
BUSINESS / SCHOOL (GRADE) ADDRESS	6631 PASSONS BL	6631 PASSONS BL	
CITY	PICO RIVERA	PICO RIVERA	
STATE	CA	CA	
ZIP	90660	90660	
BUSINESS PHONE (Area Code)	562-949-2421	562-949-2421	
ETHNIC ORIGIN			
EMAIL ADDRESS			
SOCIAL NETWORKING ACCOUNT			
CELL PHONE (Area Code)			
VICTIM OF OFFENSE(S) (CLASSIFICATION) #	# 1	# 1	
VICTIM DESIROUS OF PROSECUTION?	YES		
VICTIM OF SEX CRIME DESIROUS OF CONFIDENTIALITY?			
ENGLISH SPEAKING?	X YES ☐ NO	X YES ☐ NO	☐ YES ☐ NO
LANGUAGE			

CODE: S - SUSPECT • SJ - SUBJECT • M - PATIENT • S/V - SUSPECT / VICTIM • SJ / V - SUBJECT / VICTIM

Field	Entry 1	Entry 2
CODE / # of		
LAST NAME		
FIRST NAME		
MIDDLE NAME		
DOB		
AGE		
DRIVER'S LICENSE / STATE ID		
SEX		
RACE		
ETHNIC ORIGIN		
HAIR		
EYES		
HEIGHT		
WEIGHT		
CELL PHONE (Area Code)		
RESIDENCE ADDRESS		
CITY / STATE / ZIP		
RESIDENCE PHONE (Area Code)		
BUSINESS / SCHOOL (GRADE) ADDRESS		
CITY / STATE / ZIP		
BUSINESS PHONE (Area Code)		
AKA		
EMAIL ADDRESS		
SOCIAL NETWORKING ACCOUNT		
ENGLISH SPEAKING?	☐ YES ☐ NO	☐ YES ☐ NO
MONIKER		
CHARGE		
BOOKING NUMBER		
LANGUAGE		
WHERE DETAINED OR CITE NUMBER		

ON THE INDICATED DATE AND TIME WHILE WORKING UNIFORMED PATROL IN THE CITY OF PICO RIVERA, I HEARD EMERGENT RADIO TRAFFIC IN WHICH UNIT 153B DEPUTIES LONGORIA,B #[redacted] AND LEAKE,S [redacted] WERE IN PURSUIT OF A DRUNK DRIVER ON BERT ST. DEPUTY LONGORIA THEN BROADCAST THE SUSPECTS VEHICLE HAD CRASHED AT BERT ST AND EGLISE ST.

MOMENTS LATER, DEPUTY LONGORIA BROADCASTED HE WAS INVOLVED IN A DEPUTY INVOLVED SHOOTING AT [redacted] THE SUSPECT FLED SOUTH BOUND FROM THE AREA OF THE DEPUTY INVOLVED SHOOTING THROUGH A RESIDENCE YARD AT [redacted] A HANDGUN WAS RECOVERED BY RESIDENTS IN THIS BACKYARD.

A CONTAINMENT OF THE AREA WAS ESTABLISHED BY AIR 24. THE SUSPECT WAS SEEN WALKING AWAY FROM THE CONTAINMENT BY SGT CRETA,B #[redacted] NORTH BOUND BENNINGTON AVE FROM FARMLAND AVE. DEPUTIES CABRERA,M #[redacted] AND STEPHENSON,M[redacted] CONTAINED THE SUSPECT AT [redacted] WHERE A DEPUTY INVOLVED SHOOTING OCCURRED.

A CRIME SCENE WAS IMMEDIATELY ESTABLISHED BY RESPONDING PERSONNELL AND 150S SERGEANT HENNESY,S#[redacted]

LACOFD ENGINE #25 UNDER THE DIRECTION OF CAPTAIN ALEMAN PRONOUNCED THE SUSPECT DECEASED AT 0234 HOURS TELEPHONICALLY PER LA COUNTY USC HOSPITAL DR KELLER.

A COMMAND POST WAS ESTABLISHED AT RIVERA MIDDLE SCHOOL (7200 CITRONELL AV PICO RIVERA 90069) AND THE CRIME SCENE CONTAINED. A MAJOR INCIDENT LOG WAS INITIATED.

PICO RIVERA STATION WATCH COMMANDER LIEUTENANT GONZALEZ,J WAS NOTIFIED.

HANDLING HOMICIDE DETECTIVES BLAGG [redacted] AND LAWLER [redacted] ARRIVED ON SCENE AT 0333 HOURS ASSUMING CONTROL OF THE CRIME SCENE AND THE INVESTIGATION.

COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

DATE: SEPTEMBER 14, 2018

FILE NO: 018-05051-1517-013

C: ASSAULT WITH A DEADLY WEAPON ON A PEACE OFFICER 245(D)(1)PC, POSSESSION OF A FIREARM BY FELON, 29800(A)(1) PC, DEPUTY INVOLVED SHOOTING (SUSPECT DECEASED),

ACTION: ACTIVE / INVESTIGATION CONDUCTED / CRIME SCENE PROCESSED / WITNESS INTERVIEWS / EVIDENCE RECOVERED

CORONER CASE # 2018-05589

V1: LONGORIA, BRANDON, MH[redacted]
LOS ANGELES COUNTY DEPUTY
SHERIFF, EMPLOYEE #[redacted]
(UNINJURED)

V2: CABRERA, MIGUEL, MH[redacted]
LOS ANGELES COUNTY DEPUTY
SHERIFF, EMPLOYEE #[redacted]
(UNINJURED)

D: JULY 19, 2018 (THURSDAY)
AT APPROXIMATELY 0139 HOURS

L1: [redacted] SCHOOLING ROAD,
PICO RIVERA, CA 90069

L2: [redacted] PICO VISTA ROAD,
PICO RIVERA, CA 90069

S: PIZARRO, CARMELO, MH/25,
DOB 10-26-1995, CII [redacted]
(DECEASED)

****

WITNESSES:

DEPUTY SEAN LEAKE
LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
EMPLOYEE #[redacted]

DEPUTY MIGUEL HLUZ
LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
EMPLOYEE #[redacted]



SERGEANT BLANCA CRETA
LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
EMPLOYEE #[redacted]

DEPUTY PATRICK WEINMANN
LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
EMPLOYEE #[redacted]

[redacted] MH/A

[redacted] MH/A

[redacted] MH/A

[redacted] MH/A

[redacted] FH/A

[redacted] FH/A

EVIDENCE HELD:

Item #FA-1: "Beretta" 9mm semi-automatic handgun. Model 92FS, serial number BER[redacted] with an attached "SureFire" tactical light, one magazine and 12 live 9mm rounds. Belonging to Deputy Longoria. (**Booked at Sheriff's Crime Lab**)

Item #FA-2: "Beretta" 9mm semi-automatic handgun. Model 92G Brigadier Tactical, serial number [redacted] with an attached "SureFire" tactical light, one magazine and 13 live 9mm rounds. Belonging to Deputy Stephenson. (**Booked at Sheriff's Crime Lab**)

Item #FA-3: "Beretta" 9mm semi-automatic handgun. Model 92FS, serial number BER[redacted] with an attached "SureFire" tactical light, one magazine and seven live 9mm rounds. Belonging to Deputy Cabrera. (**Booked at Sheriff's Crime Lab**)

Item SB-1: Fired bullet. Recovered from [redacted] (**Booked at Sheriff's Crime Lab**)

Item SB-2: "Citi Bank" Mastercard credit card. Account #[redacted] in the name of [redacted] Recovered from the interior panel pocket of the driver's side door of 2001 grey Mitsubishi Eclipse bearing California License [redacted] (**Booked at Homicide Bureau**)

Item SB-3: Brown Leather wallet, with "Green Bay Packers" emblem on the front. Located on the floor board of the driver's seat of 2001 grey Mitsubishi Eclipse bearing California License [redacted]
(Booked at Homicide Bureau)

Item SB-4: Black and white bandana. Located on the floor board of the driver's seat of 2001 grey Mitsubishi Eclipse bearing California License [redacted]
(Booked at Sheriff's Crime Lab)

Item SB-5: Six shot cylinder, belonging to a revolver and crane of revolver, with [redacted] appearing on crane. Located on floor board of driver's seat of 2001 grey Mitsubishi Eclipse bearing California License [redacted]
(Booked at Sheriff's Crime Lab)

Item SB-6: Five, live .357 caliber rounds, all rounds bearing the head stamp "Federal 357 Magnum". Located on the floor board of the driver's seat of 2001 Mitsubishi Eclipse bearing California License [redacted]
(Booked at Sheriff's Crime Lab)

Item SB-7: Black and white bandana. Located on driver's seat of 2001 grey Mitsubishi Eclipse bearing California License [redacted]
(Booked at Sheriff's Crime Lab)

Item SB-8: Machete, approximately 12 inches in length with a black handle. Located on the floor board of the front passenger seat of 2001 grey Mitsubishi Eclipse bearing California License [redacted]
(Booked at Sheriff's Crime Lab)

Item SB-9: 40 ounce "Bud Ice Lager" beer bottle, partially full. Located on floor board of rear passenger seat of 2001 grey Mitsubishi Eclipse bearing California License [redacted]
(Booked at Sheriff's Crime Lab)

Item SB-10: "Samsung" cellphone, Model # SM-J327T1, IMEI# [redacted] Located in the center console area of 2001 grey Mitsubishi Eclipse bearing California License [redacted]
(Booked at Homicide Bureau)

Item SB-11: "Unnecto" cellphone, Model #U6132NAQUATS4WHT, IMEI# [redacted] Located between the driver's seat and center console of 2001 grey Mitsubishi Eclipse bearing California License [redacted]
(Booked at Homicide Bureau)

On July 19, 2018, Investigators Scott Lawler and Steve Blagg were detailed to respond to the command post at Rivera Middle School located at 7200 Citronell Avenue, in the city of Pico Rivera, to investigate the circumstances surrounding the deputy involved shooting of Suspect Carmelo Pizarro, MH/10-26-1995, which occurred at [redacted] in the city of Pico Rivera and [redacted] in the city of Pico Rivera. Investigators Gil Morales, Myra Zuniga, Marc Boisvert, and Louie Aguilera were assigned to assist with the investigation.

Upon their arrival, investigators were briefed by Pico Rivera Station Deputy Adrian Zambrano #[redacted] Unit 152E / EM shift, regarding the chain of events that culminated in the deputy involved shooting. Deputy Zambrano stated Deputies Brandon Longoria #[redacted] and Sean Leake #[redacted] went in vehicle pursuit of a grey Mitsubishi Eclipse. The driver of the Mitsubishi appeared to be under the influence and was driving erratically. During the pursuit, the driver lost control and crashed into a light pole and a parked vehicle at the corner of Eglise Avenue and Bert Street. After the crash, the driver fled on foot to the front yard of a residence located at [redacted] Deputy Longoria pursued the suspect on foot and a deputy involved shooting occurred in the front yard of the residence located at [redacted]

After the deputy involved shooting, the suspect fled southbound across Schooling Road and out of view. A containment was established and Air-24 observed the suspect in the area of Bert Street and Pico Vista Road. Assisting Pico Rivera Station deputies responded to Pico Vista Road and observed the suspect walking southbound. Deputies Miguel Cabrera #[redacted] and Michael Stephenson #[redacted] observed the suspect and another deputy involved shooting occurred.

Los Angeles County Fire Paramedics responded and provided treatment to the suspect. The suspect, who was later identified as Carmelo Pizarro was pronounced dead at 0234 hours by Dr. Keller.

Deputy Zambrano gave investigators a walkthrough of the entire crime scene. From the location where Suspect Pizarro crashed his vehicle to where the second deputy involved shooting occurred on Pico Vista Road. While viewing Suspect Pizarro's crashed Mitsubishi Eclipse bearing California License [redacted] Investigators Lawler and Blagg noticed a machete on the front passenger seat floor board. On the driver's seat floor board investigators noticed several live rounds, a cylinder for a revolver and a glass pipe commonly used to ingest methamphetamine.

Investigators Morales and Zuniga were tasked with documenting the scene and evidence collection from the deputy involved shooting that occurred on Pico Vista Road. They will complete a supplemental report documenting their actions, which will be made part of the investigative file. Investigators Boisvert and Aguilera were tasked with documenting the scene and evidence collection from the scene where Suspect Pizarro collided into the light pole and the deputy involved shooting on Schooling Road. They will complete a supplemental report documenting their actions, which will be made part of the investigative file.

INTERVIEW WITH [redacted]

While walking the crime scene, Investigators Lawler and Blagg were approached by Deputy Leonardi #[redacted] Deputy Leonardi was assigned to South Los Angeles Station and was on a containment spot. Deputy Leonardi told investigators that while at his containment spot at Schooling Road and Bennington Avenue he was contacted by [redacted] who informed him that between the hours of 0130 and 0230 hours an unknown male jumped into his backyard and attempted to gain entry into his house at [redacted] Mr. [redacted] added that his [redacted] saw the individual and held the door closed so the individual could not enter the residence.

Investigators Lawler and Blagg responded to [redacted] and interviewed [redacted] The interview took place in the living room of the residence and was audio recorded. Investigators were assisted by Deputy Zambrano, due to the fact Witness [redacted] did not speak English.

Witness [redacted] told investigators that while sleeping in a chair, in the back of the residence, by the sliding glass door, he heard someone outside and thought it was one of his nephews. He stood up, looked outside and saw an individual that he did not recognize. The individual tried to open the sliding glass door, which was already partially open and enter his house. Witness [redacted] described the individual he observed in the backyard as being a male Hispanic, 24-26 years old, approximately 5'10, with a shaved head and was wearing a dark colored grey shirt with "letters" on it.

Witness [redacted] told investigators that when the male Hispanic tried to enter his house, he pushed him back and shut the sliding glass door. He then saw the male Hispanic run east bound. Witness [redacted] then exited his house and waved at the police helicopter, which was over his house. He also told investigators that he heard the male Hispanic say "Please let me in". He also added that he believed the male Hispanic was either "drunk or high". He further added the male Hispanic smelled of alcohol and when he spoke, he sounded drunk. Witness [redacted] told investigators that he had never seen the male Hispanic before.

Witness [redacted] had nothing further to add and the interview was terminated.

Prior to leaving the residence located at [redacted] investigators viewed the backyard of the residence. Investigators noticed that the wood fence on the west side of the residence was broken at the top and underneath the broken part of the fence, on the east side, was a broken ceramic potted plant. [redacted] told investigators that the fence and potted plant were not broken the day before.

INTERVIEW WITH [redacted]

On July 19, 2018, at approximately 0816 hours, Investigators Lawler and Blagg interviewed Witness [redacted] Also present during the interview with Witness [redacted] were Sergeants Thomas Arellano and Irys Alvarez, with the Los Angeles County Sheriff's Department Internal Affairs Bureau, Deputy District Attorney David Reinert, with the

Justice System Integrity Division and Senior Investigator [redacted] with the District Attorney Bureau of Investigation. The interview took place in the Captains office at the Pico Sheriff's Station and was audio recorded. The following is a summary of the interview.

After obtaining Witness [redacted] personal information, investigators explained to him the purpose of the interview. Witness [redacted] told investigators that he and his [redacted] and [redacted] were playing video games in the backyard of his residence when they heard four to five "loud pops" coming from behind his house. After hearing the loud pops, he muted the television and heard someone yell "fuck". He also heard someone moving around behind his backyard wall. He then saw an object thrown over his fence and land in his backyard.

Witness [redacted] told investigators that after hearing the loud pops, which he believed were gun shots, hearing someone on the other side of his fence and observing an object thrown over his fence, he and his [redacted] left his residence and flagged down a deputy who was passing by. Witness [redacted] and his [redacted] explained to the deputy that they believed someone was in his backyard. The deputy left the location after receiving information that the suspect was observed at another location.

After the deputy left, Witness [redacted] and his [redacted] re-entered his residence. He went to his backyard, where he observed a handgun that was thrown over from the other side of his backyard fence. Witness [redacted] described the handgun as a silver revolver that was missing the cylinder. Witness [redacted] told investigators that he and his [redacted] never touched the handgun and upon finding the handgun, his friend [redacted] called the Sheriff Station and told them about the gun. Witness [redacted] also told investigators that he and his [redacted] had been playing video games in his backyards since about 2230 hours and during that time, he had consumed two beers.

Witness [redacted] had nothing further to add and the interview was terminated.

INTERVIEW WITH [redacted]

On July 19, 2018, at approximately 0832 hours, Investigators Lawler and Blagg interviewed Witness [redacted] Also present during the interview with Witness [redacted] were Sergeants Thomas Arellano and Irys Alvarez, with the Los Angeles County Sheriff's Department Internal Affairs Bureau, Deputy District Attorney David Reinert, with the Justice System Integrity Division and Senior Investigator [redacted] with the District Attorney Bureau of Investigation. The interview took place in the Captains office at the Pico Sheriff's Station and was audio recorded. The following is a summary of the interview.

After obtaining Witness [redacted] personal information, investigators explained to him the purpose of the interview. Witness [redacted] told investigators that while over at his [redacted] house playing video games in the backyard with other [redacted] he heard two loud pops. He estimated hearing the "pops" at around 0120 hours. He went on to tell investigators that two of his [redacted] were in the military and the loud pops stood out to them. After hearing the pops he lowered the volume on the television and heard a

male "yell in agony". He also heard someone shuffling. He told investigators the male yelling and the shuffling were coming from the house behind where he was at.

Witness [redacted] did not see anyone attempt to jump over the back wall of the residence he was at, nor did he observe a gun thrown over the wall. However, one of his [redacted] told him he had observed a gun thrown over the back wall. Witness [redacted] told investigators that he believed it was unsafe to be in the house, so he along with his [redacted] left the residence and drove down the street and contacted a deputy.

After explaining to the deputy what they had seen, Witness [redacted] and his [redacted] returned to [redacted] house. They walked to the backyard of the residence and Witness [redacted] observed a gun in the backyard. He described the gun as being a silver revolver that was missing the part where the bullets go.

Witness [redacted] had nothing further to add and the interview was terminated.

INTERVIEW WITH [redacted]

On July 19, 2018, at approximately 0843 hours, Investigators Lawler and Blagg interviewed Witness [redacted] Also present during the interview with Witness [redacted] were Sergeants Thomas Arellano and Irys Alvarez, with the Los Angeles County Sheriff's Department Internal Affairs Bureau, Deputy District Attorney David Reinert, with the Justice System Integrity Division and Senior Investigator [redacted] with the District Attorney Bureau of Investigation. The interview took place in the Captains office at Pico Sheriff's Station and was audio recorded. The following is a summary of the interview.

After obtaining Witness [redacted] personal information, investigators explained to him the purpose of the interview. Witness [redacted] told investigators that while in the backyard of [redacted] house, playing video games and eating pizza, he heard four to five gunshots. The gunshots were in quick succession and came from behind [redacted] house. He told investigators that he was familiar with the sound of gunshots and after hearing the gunshots he heard sirens. After hearing the sirens, the volume on the television was turned down and he heard someone scream in agony and possibly yell "fuck".

After hearing the gunshots, sirens and someone yell in pain, Witness [redacted] and his [redacted] went inside [redacted] residence. As they were entering the residence Witness [redacted] heard [redacted] say, "Oh shit, he's coming through the back". Witness [redacted] and his [redacted] drove down the street in [redacted] car and flagged down a deputy. The deputy ended up leaving the location and Witness [redacted] along with [redacted] and [redacted] re-entered [redacted] residence. Witness [redacted] told investigators that while searching the backyard of [redacted] residence, [redacted] found a handgun. He observed the handgun and told investigators it was a silver revolver that was missing the cylinder and had brown grips.

Witness [redacted] told investigators that while playing video games at [redacted] residence he had consumed a few alcoholic beverages but he was not intoxicated.

Witness [redacted] had nothing further to add and the interview was terminated.

INTERVIEW WITH [redacted]

On July 19, 2018, at approximately 0857 hours, Investigators Lawler and Blagg interviewed Witness [redacted] Also present during the interview with Witness [redacted] were Sergeants Thomas Arellano and Irys Alvarez, with the Los Angeles County Sheriff's Department Internal Affairs Bureau, Deputy District Attorney David Reinert, with the Justice System Integrity Division and Senior Investigator [redacted] with the District Attorney Bureau of Investigation. The interview took place in the Captains office at Pico Sheriff's Station and was audio recorded. The following is a summary of the interview.

After obtaining Witness [redacted] personal information, investigators explained to him the purpose of the interview. Witness [redacted] told investigators that while playing video games with his friends in [redacted] backyard, he heard approximately four gunshots. Witness [redacted] explained that he had prior military experience and immediately recognized the sound of gunshots. He estimated that the gunshots were in close proximity to where he was and came from the northwest. He estimated that the gunshots came from a Beretta 9mm. After hearing the gunshots, the television was muted and he heard a male voice scream in pain. He also heard someone "rustling" on the other side of the wall in [redacted] backyard.

Witness [redacted] told investigators that he and his [redacted] went inside [redacted] house and while he was inside he observed a male Hispanic place both his hands on the brick wall in [redacted] backyard and raise his head above the wall. The male Hispanic was on the other side of the wall. Witness [redacted] told investigators that he only saw half of the males head and heard him say "oh fuck". He further described the male Hispanic as having a shaved head. From inside the house Witness [redacted] heard an object hit the ground. He described the object making a "pinging" sound when it landed.

Witness [redacted] and his [redacted] exited [redacted] house and contacted a deputy. After some time had passed, Witness [redacted] and his [redacted] re-entered [redacted] house and began to check around the house. They went to the backyard and he observed a handgun laying on the ground, in the backyard. He described the handgun as being a silver revolver, missing the cylinder and being approximately two feet away from the back wall of the backyard.

Witness [redacted] told investigators that he never touched the handgun that he observed in the backyard, nor did anyone else. After observing the handgun, he told [redacted] to call 911 and tell them about their discovery. [redacted] called 911 and Witness [redacted] estimated it took approximately five minutes for deputies to arrive at the house. Witness [redacted] also told investigators that the only thing different with [redacted] house and the backyard from the time they left to the time they re-entered was the handgun observed in the backyard. Nothing else was out of place.

Witness [redacted] had nothing further to add and the interview was terminated.

Deputies Miguel Cabrera, Brandon Longoria and Michael Stephenson informed investigators that they would provide a statement to investigators at a later date. Investigators did however conduct a round count with the deputies' firearms and held their firearms as evidence.

DEPUTY MIGUEL CABRERA:

On July 19, 2018, Investigators Lawler and Blagg conducted a round count with Deputy Cabrera. During the round count, which was audio recorded and took place inside the Captains office at Pico Rivera Sheriff Station, Deputy Cabrera was represented by his attorney, Steven Welch.

During the round count investigators learned that during the deputy involved shooting, Deputy Cabrera used a departmental issued 9MM Beretta 92FS semi-automatic handgun serial # BER[redacted] with an attached Sure Fire tactical light (**Evidence Item Held FA-3**). There was one live round in the chamber of the firearm and six live rounds in the magazine. The magazine capacity was 15 rounds and Deputy Cabrera told investigators that before the incident he had his magazine loaded to capacity plus one round in the chamber.

Investigators had no further contact with Deputy Cabrera after the round count was completed.

DEPUTY BRANDON LONGORIA:

On July 19, 2018, Investigators Lawler and Blagg conducted a round count with Deputy Longoria. During the round count, which was audio recorded and took place inside the Captains office at Pico Rivera Sheriff Station, Deputy Longoria was represented by his attorney Steven Welch.

During the round count investigators learned that during the deputy involved shooting, Deputy Longoria used a departmental issued 9MM Beretta 92FS semi-automatic handgun serial# BER[redacted] with an attached Sure Fire tactical light (**Evidence Item Held FA-1**). There was one live round in the chamber and 11 live rounds in the magazine. The magazine capacity was 15 rounds and Deputy Longoria told investigators that before the incident he had his magazine loaded to capacity plus one round in the chamber.

Investigators had no further contact with Deputy Longoria after round count was completed.

DEPUTY MICHAEL STEPHENSON:

On July 19, 2018, Investigators Lawler and Blagg conducted a round count with Deputy Stephenson. During the round count, which was audio recorded and took place inside the Captains office at Pico Sheriff Station, Deputy Stephenson was represented by his attorney Steven Welch.

During the round count investigators learned that during the deputy involved shooting, Deputy Stephenson used a departmental approved 9MM Beretta 92G Brigadier Tactical semi-automatic handgun, serial [redacted] with an attached Sure Fire tactical light (**Evidence Item Held FA-2**) There was one live round in the chamber and 13 rounds in the magazine. The magazine capacity was 18 rounds and Deputy Stephenson told investigators that before the incident he had his magazine loaded to capacity plus one round in the chamber.

Investigators had no further contact with Deputy Stephenson after the round count was completed.

INTERVIEW WITH [redacted]

On July 19, 2018, at approximately 1014 hours, Investigators Lawler and Blagg along with Sergeants Irys Alvarez and Thomas Arellano assigned to the Los Angeles County Sheriff's Department Internal Affairs Bureau, Deputy District Attorney David Reinert assigned to the Justice System Integrity Division and Senior Investigator [redacted] interviewed [redacted] the [redacted] of Carmelo Pizarro. The interview took place on the sidewalk in front of her residence located at [redacted] The following is a summary of the interview, which was audio recorded.

[redacted] informed investigators that Carmelo Pizarro was her [redacted] and provided them with his personal information. She then told investigators that On July 18, 2018, she arrived home from work at 2230 hours and her [redacted] was home. She went on to tell investigators that at some point during the evening, Carmelo left the residence. She remembered looking outside and noticed that her [redacted] car was gone which she described as a green car. She believed that Carmelo left the residence around midnight. She also told investigators that Carmelo did not interact with very many people. When investigators asked her if Carmelo was from a gang, she told them that he claimed a "hood" in Bell Gardens.

[redacted] told investigators that during the night she heard the sound of a helicopter and she went outside with her [redacted] When she went outside she saw Carmelo walking southbound on the curb and the helicopter above. She told her [redacted] to go inside, which she did. She added that Carmelo appeared nervous and scared. She further explained to investigators that she stood in the doorway to her residence and was looking outside when she saw her [redacted] walk by her residence. Carmelo did not say anything to her as he passed her. She then saw deputies from the Pico Rivera Station with their guns drawn. She observed deputies in the street as well as on the sidewalk and yelled to them, "Don't shoot, that's my [redacted] She also heard the deputies say "stop" and "put your hands up". She then heard approximately five gunshots.

After hearing approximately five gunshots, she observed deputies dragging her [redacted] from the driveway of a nearby house. She told investigators she was standing by a pine tree south of her residence when she observed this. [redacted] went on to tell investigators that her [redacted] had a problem with drugs and prior to the shooting, appeared

to be acting "weird". She also believed he was using methamphetamine or under the influence of narcotics.

[redacted] told investigators that when she observed her [redacted] walk by their residence, his hands were by his side. She also added that her [redacted] was right handed. When asked about the lighting on Pico Vista Road during the time of the shooting, she told investigators that the street was lit by the street lights.

[redacted] had nothing further to add and the interview was terminated.

INTERVIEW WITH DEPUTY SEAN LEAKE:

On July 19, 2018, at approximately 1116 hours, Investigators Lawler and Blagg interviewed Deputy Leake. Also present during the interview with Deputy Leake were Sergeants Thomas Arellano and Irys Alvarez, with the Los Angeles County Sheriff's Department Internal Affairs Bureau, Deputy District Attorney David Reinert, with the Justice System Integrity Division and Senior Investigator [redacted] with the District Attorney Bureau of Investigation. Also present, representing Deputy Leake was his attorney Steven Welch with the RLS law firm. The interview took place in the Captains office at the Pico Sheriff's Station and was audio recorded. The following is a summary of the interview.

Deputy Leake was a Deputy Sheriff for the Los Angeles County Sheriff's Department and had been so employed for the past 11 years. On July 18, 2018, Deputy Leake's shift began at [redacted] hours and ended at [redacted] ours on July 19, 2018. During his shift he worked Unit 153B, which was a two man unit. His partner was Deputy Brandon Longoria. Deputy Leake was the driver during his shift and Deputy Longoria was the passenger. During his shift, Deputy Leake wore his long sleeve "Class A" style uniform which consisted of a long sleeve tan shirt with Los Angeles County Sheriff's Department patches on each arm, a sheriff's badge over the left chest area and a name tag over the right chest area. He also wore green pants and a police belt that carried his handgun and other police equipment.

Close to the end of his shift, he and Deputy Longoria were on their way back to the Pico Rivera Sheriff's Station when they observed a vehicle under the 605 freeway overpass. The vehicle was facing west, straddling the number 1 and number 2 lanes of Washington Boulevard, not moving and did not have any lights on. Deputy Leake positioned his black and white Sheriff's vehicle that was equipped with a light bar and spot lights behind the vehicle and illuminated the blacked out vehicle with his vehicles spot light. He and Deputy Longoria then exited their vehicle and approached the blacked out vehicle. He approached the driver's side of the vehicle while Deputy Longoria approached the passenger side of the vehicle. As they were approaching the vehicle, it sped off westbound on Washington Boulevard. Deputy Leake and Deputy Longoria returned to their vehicle and followed the vehicle as it drove westbound on Washington Boulevard Deputy Leake estimated the vehicle traveled between 80-90 MPH and described observing the vehicle weave in and out of traffic, with no lights on. Deputy Leake then observed the vehicle turn south onto Passons Boulevard. When the vehicle turned onto Passons Boulevard, it ran a red light. After observing the vehicle

run the red light, Deputy Leake initiated his vehicles overhead lights and sirens. He also initiated emergency radio traffic over the patch that he was in pursuit of a reckless, drunk driver. Deputy Leake observed the vehicle turn east onto Bert Street and attempt to turn south onto Eglise Avenue. When the driver of the vehicle turned onto Eglise Avenue, he collided into a light pole and a parked vehicle at the corner of Eglise Avenue and Bert Street.

After the vehicle crashed, the suspect and sole occupant of the vehicle exited the vehicle. The suspect then grabbed his waistband and ran southbound on Eglise Avenue, towards Schooling Road. Deputy Longoria pursued the suspect on foot, while Deputy Leake followed in his patrol vehicle. Deputy Leake observed the suspect enter onto the property of the fifth to seventh residence on Schooling Road, east of Eglise Avenue, on the north side of the street and attempt to jump over a fence. The suspect was unable to make it over the fence and Deputy Leake and Deputy Longoria approached the suspect. Deputy Leake recalled two parked vehicles in the driveway of the residence and the suspect went behind the vehicles. Deputy Leake went to the west side of the parked vehicles and Deputy Longoria went to the east side.

Deputy Leake observed the suspect emerge on the east side of the vehicles and charge directly towards Deputy Longoria. While the suspect charged, he reached towards the front of his waistband with both of his hands. Deputy Leake then heard approximately three gunshots and observed Deputy Longoria discharge his weapon once. After the gunfire, Deputy Leake observed the suspect run to the south side of Schooling Road and approximately seven to ten properties east. He then entered through a residential white gate and disappeared from view. After the suspect disappeared, Deputy Leake requested additional Pico Rivera units to respond to the street south of Schooling Road to assist in establishing a containment.

Deputy Leake told investigators that the suspect he observed run from the vehicle after colliding into the light pole and parked vehicle was as a male Hispanic adult, 507-510, 200LBS-220LBS, wearing a black hat, black shorts and a Lakers jersey. Deputy Leake also informed investigators that during his interaction with the suspect, he appeared angry, aggressive and having a "blank stare." Deputy Leake formed the opinion that the suspect was under the influence of alcohol and a stimulant. Deputy Leake also told investigators that from the point when the suspect exited his vehicle to when the shooting occurred, he and Deputy Longoria issued commands numerous times for the suspect to stop and show them his hands. The suspect never complied with the commands.

Deputy Leake had nothing further to add and the interview was terminated.

INTERVIEW WITH DEPUTY MIGUEL HLUZ:

On July 19, 2018, at approximately 1142 hours, Investigators Lawler and Blagg interviewed Deputy Miguel Hluz in the Captain's office at Pico Rivera Station. Also present during the interview were Sergeants Thomas Arellano and Irys Alvarez, of the Sheriff's Internal Affairs Bureau, and representing Deputy Hluz was attorney Steven Welch of the RLS Law Firm. The interview was audio recorded, and the following is a

summary of the interview.

Deputy Hluz had been employed by the Sheriff's Department for approximately ten years and had been assigned to Pico Rivera Station for the past ten months. On July 19, 2018, he was assigned to unit 151T3, and started his shift at [redacted] hours on July 18, 2018. He was clad in a Class A uniform and was driving a marked black and white Ford Crown Victoria patrol vehicle.

He said he was in the area of Terradell Street and Rosemead Boulevard, along with unit 152F (Deputy Cabrera), when he heard a unit dispatch radio traffic on the "patch" that they were in pursuit of a reckless DUI driver. He said he originally thought it was unit 151B who broadcast the pursuit, but later learned it was unit 153B. He heard unit 153B broadcast they were traveling west on Washington Boulevard, so he responded to that area, Code 3, in tandem with unit 152F.

He heard unit 153B broadcast the suspect vehicle had been involved in a collision in the area of Schooling Road and then he heard the suspect had run from the vehicle. As he checked his maps to ascertain where unit 153B was at, he heard a deputy broadcast the radio code 998, which he knew meant a deputy had been involved in a shooting. A unit directed units to establish a containment of the area and he and unit 152F took a position on Abbotsford Road. He heard radio traffic that indicated the suspect may have jumped into the backyard of a residence on Abbotsford Road, so he and unit 152F positioned themselves at that residence.

While he was on the street, a male resident of the house approached him and said the suspect had jumped into the backyard of his residence. He said he advised the Sheriff's Air unit of his location and what had been relayed to him by the resident. He saw a group of teenage males exit the house and join the resident who had talked to him. He directed the group to stand near a truck that was parked away from the house.

At that time, he heard Sergeant Creta transmit radio traffic that she had seen the possible suspect run north on Bennington Avenue. He told Deputy Cabrera that a unit should set up in the area of Bert Street and Bennington Avenue. The Sheriff's Air Unit then asked for a unit to respond to the area of Bert Street and Farmland Avenue. He did not hear a unit acknowledge that request, so he acknowledged it and responded there. The Sheriff's Air Unit directed him to the area, and then he heard the Air Unit advise the suspect was running south on Pico Vista Road. The suspect was described as a male Hispanic, heavy set, wearing dark colored clothing.

He said when he turned south on Pico Vista Road from Bert Street, he saw another Sheriff's unit (Sergeant Creta) was driving south in front of him. He heard the Air Unit broadcast they had observed the suspect walking south on the west sidewalk of Pico Vista Road. As he got closer to the suspect, he saw the suspect was reaching to his front waistband while he turned and looked over his left shoulder at the marked units. He said he heard an unknown deputy shouting commands for the suspect to show his hands.

He said the suspect stopped in front of the driveway at [redacted] Sergeant Creta stopped adjacent to that location, and he (Hluz) stopped just north of Sergeant Creta's vehicle. He took cover behind the driver door of his unit. He said the suspect looked toward him and Sergeant Creta and reached toward the right side of his front waistband with both of his hands. He said the suspect had been illuminated intermittently with the Air Unit's spotlight. He saw Deputy Stevenson walk into the front yard of the residence, north of where the suspect was at.

He saw the suspect walk backwards, while facing east, in an area between a vehicle that was parked in the driveway and a fence that was just south of the vehicle. He then decided to take a position behind a tree he had seen on the west sidewalk. As he ran toward the tree, he heard several gunshots. He believed the suspect was shooting at the other deputies. He ran toward Deputy Stevenson's position and saw that Deputy Stevenson was shooting at the suspect.

When he got to Deputy Stevenson's position, he started to point his duty weapon to the area he last saw the suspect, but did not see the suspect. He maintained his position, but did not see the suspect. He asked Deputy Stevenson where the suspect was at and he heard Sergeant Creta yell for a cease fire. He heard deputies asking if they could see the suspect's hands and heard another deputy say that they could see the suspect's hands. He and Deputy Stevenson advised the other deputies that they would approach the suspect from their position.

He and Deputy Stevenson approached the area between the parked vehicle and the fence just south of the vehicle and saw the suspect was laying down on the driveway on his stomach. He saw the suspect's left hand was raised and he saw the suspect reach to his front waistband with his right hand. He and Deputy Stevenson approached the suspect and he saw the suspect was covered in blood. He saw Deputy Cabrera also approach the suspect. When he and the other deputies attempted to take control of the suspect's hands, he saw the suspect again reach for his front waistband. They eventually took control of the suspect's hands and handcuffed him. They checked the suspect's waistband area for a weapon and did not find one. He recalled seeing a belt secured around the suspect's stomach area. He then rendered medical aid until the fire department arrived. He eventually removed the handcuffs from the suspect when fire personnel arrived.

He said the suspect had been hiding between a red Ford Explorer and the fence. He remembered seeing two additional vehicles parked in the driveway. Investigators asked him if he had seen anything in the suspect's hands as the suspect walked south on Pico Vista Road. He said he did not see anything in the suspect's hands, but he did see the suspect reach toward his front waistband area. Investigators asked him if he noticed anything odd about the suspect's gait as he walked, and he said it appeared the suspect was very determined as he walked and continued to look over his shoulder toward the marked units.

Investigators asked him how close he was to the suspect when he heard the shots. He said he was approximately ten feet north of the suspect. He said his view of the suspect was blocked by the red Ford Explorer. He said he heard several verbal

commands, in English, made to the suspect to show his hands before and after the shots. He said he had not heard the suspect make any statements before or after the shooting. Investigators asked him if he had any previous contact or encounters with the suspect before this incident, and he said he had not.

Investigators asked him what unit number he was driving, and he said it was SH1110. He said he left it parked where he stopped before the shooting and had not moved it. Investigators asked him if any persons had approached him or spoke to him before the shooting. He said an older woman who identified herself as the suspect's grandmother approached him after the shooting, but nobody approached him before the shooting. He said the older woman provided him with her name and the suspect's name. He said he did not see anyone exit the residence located two houses north of the shooting before the shooting.

He had nothing more to add, and the interview was concluded.

INTERVIEW WITH SERGEANT BLANCA CRETA:

On July 19, 2018, at approximately 1218 hours, Investigators Lawler and Blagg interviewed Sergeant Blanca Creta in the Captain's office at Pico Rivera Station. Also present during the interview were Sergeants Thomas Arellano and Irys Alvarez, of the Sheriff's Internal Affairs Bureau, and representing Sergeant Alvarez was attorney Mitchell Kander of the Law Firm of Charles Goldwasser. The interview was audio recorded, and the following is a summary of the interview.

Sergeant Creta had been employed by the Sheriff's Department for approximately 17 years and had been assigned as a sergeant at Pico Rivera Station for the past 2 ½ years. On February 19, 2018, she was assigned to supervise the Summer Enforcement Team as unit 153S. She started her shift at [redacted] hours on February 18, 2018. She was clad in a Class A uniform and was driving a marked black and white Ford Crown Victoria patrol vehicle.

While she was driving north on Norwalk Boulevard from Whittier Boulevard, she heard unit 153B transmit emergent radio traffic that they were in pursuit of a DUI vehicle in the area of Washington Boulevard and Passons Boulevard. She responded to the area of the pursuit. As she got close, she heard unit 153B transmit that they were in the area of Bert Street and she though they had said Burke Street. She drove south on Passons Boulevard toward Burke Street and as she passed Bert Street, she saw the emergency lights there so she turned and responded to that location.

She said she heard unit 153B transmit that the suspect vehicle had been involved in a collision and they were now in foot pursuit of the driver. She then heard unit 153B advise they had been involved in a shooting on Schooling Road and that the suspect continued to run and they were establishing a containment. Unit 153B advised the suspect was last seen jumping fences into yards. She took a containment position at Foxbury Way and Bennington Avenue.



While at her containment position outside of her vehicle, she saw a male who matched the suspect description run east across Bennington Avenue, from Abbotsford Road, approximately one block north of her. She then saw the suspect run north on Bennington Avenue. She said the male was heavy set and was wearing a basketball jersey, and she had previously heard the description broadcast by a unit prior to her observations. She advised the Sheriff's Air Unit, who was flying overhead.

She heard radio traffic asking if any unit had seen the suspect, and nobody acknowledged. The Air unit then advised they saw a male matching the suspect description walking east on a street and that the male needed to be contacted. Another unit relieved her at her containment position and she followed the Air Unit's direction where they last saw the male.

She drove east on Bert Street and turned south on Pico Vista Road. After she turned south on Pico Vista Road, she saw the same male (suspect) she had seen earlier, walking south on the west sidewalk. The suspect looked over his left shoulder at her and began to walk faster. She said she was the only patrol vehicle on the street when she first saw the suspect. She said the suspect had his hands in front of his body as if he was trying to conceal something from her view. As she drove toward the suspect, he continually looked toward her while concealing his hands in front of his body.

She said she and another male deputy yelled verbal commands to the suspect to raise his hands. She said she did this while seated in her patrol vehicle, with the driver door open and slowly driving south. She said the suspect was approximately twenty feet south of her when she yelled the commands. The suspect was illuminated from the Air unit's spotlight as well as the overhead lights of her vehicle. She said the suspect appeared to be acquiring a target as he looked over his shoulder toward her and the other units.

She said she stopped her vehicle in front of [redacted] She saw four vehicles parked in the driveway of the residence. She said the suspect appeared to be "taking a stance" but then walked backward just south of a red SUV parked there. She lost sight of the suspect at that time. She saw the deputies that had stopped behind her had exited their vehicles and were taking positions in and around the yard of the residence. She exited her vehicle, which was facing south, and walked around it in an attempt to get a view of the suspect. As she did this, she saw Deputy Cabrera walk passed her about seven feet south of her. She then saw Deputy Cabrera fire several shots toward the area she last saw the suspect. She said she saw another deputy fire from a position in the driveway of the residence. She later realized Deputy Stevenson was the other deputy who had fired.

She moved to a position to get a view of the suspect and she saw the suspect was standing along the driver side the red SUV. The suspect was bent forward at the waist facing east, and both of his hands were near his stomach area. She saw the suspect had nothing in his hands so she ordered the deputies to hold their fire. She then directed Deputies Stevenson and Hluz to approach the suspect and take him into custody. She said when the deputies approached him, they ordered him to place his hands behind his back but he did not comply and kept his hands in front of his body.

She said the deputies were able to gain control of the suspect's hands and they handcuffed him. She and other deputies monitored the suspect's vitals and at some point she could not feel a pulse so she ordered a deputy to remove the handcuffs. At that point, fire personnel arrived to treat the suspect.

Investigators asked her to describe the suspect's action before she lost sight of him. She said the suspect looked over his left shoulder in her direction, bent forward at the waist while he brought both of his hands to his front waistband area. The suspect then walked backward, westbound, to the south of the red SUV.

Investigators asked her if anyone had shouted commands to the suspect prior to the shooting. She said prior to the shooting, several verbal commands were given to the suspect to stop and show his hands. She said she and other deputies shouted the commands to the suspect.

Investigators asked her if she had seen any persons outside either before or after the shooting. She said prior to the shooting, she did not see anyone outside but after the shooting she saw some residents come out of their homes.

Investigators asked her what vehicle she was driving, and she said it was SD5636. She said she left it where she had initially stopped and did not move it after the shooting. Investigators asked her if she had heard the suspect make any statements either before or after the shooting, and she said she did not heard the suspect make any statements.

She had nothing more to add, and the interview was concluded.

INTERVIEW WITH [redacted]

On July 20, 2018, Investigator Blagg received information from Pico Rivera Station personnel that [redacted] had called the station and attempted to report the vehicle Carmelo Pizarro was driving during the incident as stolen. On July 20, 2018, at approximately 1512 hours Investigators Lawler and Blagg interviewed [redacted] at the Pico Rivera Sheriff's Station. The interview took place in an office at the station and was audio recorded. The following is a summary of the interview.

[redacted] identified herself as the [redacted] of Carmelo Pizarro and informed investigators that she resided with him at [redacted] She went on to tell investigators that her [redacted] was the registered owner of the Mitsubishi Eclipse, bearing California License [redacted] She further stated that her [redacted] and her have owned the car for about a year and Carmelo did not have her permission to be driving her vehicle. She added that he had used her vehicle in the past, to run errands, but on the night of July 18, 2018, he did not have permission to drive her vehicle. The last time she observed her vehicle was at approximately 1700 hours on July 18, 2018, when she left for work. The vehicle was parked on the street in front of her residence and the keys to the vehicle were in her residence, hung up.

The last time she was in her vehicle, there were no guns, bullets or methamphetamine paraphernalia inside. She further stated that she and her [redacted] do not own any

guns, nor does anyone else that resided with her. [redacted] told investigators that the last time she saw Carmelo was on July 18, 2018, before she left for work. She described Carmelo as being depressed. She also described recently hearing Carmelo talk about the devil and saying that people are after him. She also told investigators that one of the front head lights of her vehicle was broken and the other headlight was operational. She also stated that the brakes to her vehicle worked as well as the turn signals and all of the other lights.

[redacted] had nothing further to add and the interview was terminated.

INTERVIEW WITH DEPUTY BRANDON LONGORIA

On July 20, 2018, at approximately 1655 hours, Investigators Lawler and Blagg interviewed Deputy Longoria. Also present during the interview was Steven Welch, with the RLS Law Firm, who represented Deputy Longoria. The interview took place in an office within the Pico Rivera Sheriff Station and was audio recorded. The following is a summary of the interview.

Deputy Longoria was a Deputy Sheriff for the Los Angeles County Sheriff's Department and had been so employed for the past 11 years. On July 18, 2018, Deputy Longoria's shift began at [redacted] hours and ended at [redacted] hours on July 19, 2018. During his shift he worked Unit 153B, which was a two man unit and part of the Pico Rivera Station Summer Team. His partner was Deputy Sean Leake. Deputy Leake was the driver during the shift and Deputy Longoria was the passenger. During his shift, Deputy Longoria wore his short sleeve "Class A" style uniform which consisted of a short sleeve tan shirt with Los Angeles County Sheriff's Department patches on each arm, a sheriff's badge over the left chest area and a name tag over the right chest area. He also wore green pants and a police belt that carried his handgun and other police equipment.

Deputy Longoria told investigators that towards the end of their shift, while traveling westbound on Washington Boulevard approaching the 605 freeway, in their marked black and white patrol vehicle, he observed a vehicle in the middle of Washington Boulevard, stopped, facing northbound in a diagonal direction, taking up the number one and two lanes of travel. The vehicle, which was a two door, dark colored Mitsubishi, was turned off and had no lights on. Deputy Longoria and Deputy Leake stopped their patrol vehicle behind the Mitsubishi and activated their full rotators on their patrol vehicle. Deputy Longoria exited his patrol vehicle to check the welfare of the motorist. He illuminated the Mitsubishi with his flashlight and when he was approximately two to three feet from the rear bumper of the Mitsubishi, he heard the vehicle turn on, observed the vehicle lights turn on and heard the vehicles tires start "screeching". From his vantage point, he saw one occupant in the vehicle.

The vehicle then began to drive westbound on Washington Boulevard. Deputy Longoria re-entered his patrol vehicle and he and Deputy Leake followed the vehicle. While following the Mitsubishi, Deputy Longoria observed the driver lane straddle and swerve from side to side. He estimated the driver was driving between 70-75 MPH. While continuing to follow the vehicle, he observed the vehicle run a red light at Washington



Boulevard and Passons Boulevard. The vehicle continued southbound on Passons Boulevard. After he observed the vehicle run the red light, he formed the opinion that the driver was operating the Mitsubishi under the influence and activated the patch, initiated a vehicle pursuit and began to broadcast emergent radio traffic. While pursuing the vehicle, the driver attempted to turn southbound onto Eglise Avenue. He was not able to navigate the turn and collided "head on" with a light pole at the corner of Eglise Avenue and Bert Street.

After the collision, Deputy Longoria exited his vehicle and approached the Mitsubishi. When he reached the engine block area of his patrol vehicle, he heard a metal crunching noise. He then saw the driver's side door of the Mitsubishi open and the suspect exit the vehicle. When the suspect exited the vehicle, it appeared to Deputy Longoria that he was adjusting an unknown object from underneath his clothes. He estimated that his patrol vehicle was 15-20 feet away from the suspect's vehicle. He told investigators that the area where the collision occurred was well lit by the nearby street lights. Deputy Longoria described the suspect that exited the Mitsubishi as a male Hispanic, 200-220LBS, wearing a black hat, black shorts and a black and yellow "Lakers" jersey with the number "24" on it. When the suspect exited the vehicle, he stared at Deputy Longoria with a "thousand yard stare" and appeared to be "confused".

After exiting the car, the suspect continued to move his hands around his stomach and chest area. Deputy Longoria issued him commands to show him his hands, which were ignored. The suspect then ran southbound on Eglise Avenue to eastbound Schooling Road. Deputy Longoria observed Deputy Leake re-enter the patrol vehicle and Deputy Longoria pursued the suspect on foot. As he pursued the suspect, he initiated radio traffic and provided updates of his location. Deputy Longoria recalled that the suspect entered the front yard of a residence on the north side of Schooling Road. The residence had a vehicle parked in the driveway and the suspect crouched down behind it. He described the suspect as being in a "catcher's stance", with his torso facing him. Deputy Longoria again issued commands for the suspect to show him his hands and again the commands were ignored.

While the suspect was in the driveway of the residence, he held a rear view mirror from a vehicle in his hand. Deputy Longoria described the suspect holding the mirror "like a simulated firearm" and pointed it at him. When the suspect pointed the mirror at him, he immediately recognized the object as a vehicle mirror. The suspect dropped the mirror, stood up and lunged at Deputy Longoria. He estimated that he was approximately 20 feet from the suspect when he lunged. Deputy Longoria was "scared" and backed up. The suspect then told him "I am going to kill you". The suspect made the statement in a calm voice and Deputy Longoria believed the suspect intended to follow through on his threat. Deputy Longoria was scared and said his heart started racing. The suspect then moved east, to the front lawn of the residence. While on the lawn, the suspect "bladed" his body. His right shoulder was pointing towards Deputy Longoria and his back was facing the residence. The suspect then raised his "over-sized jersey" and Deputy Longoria immediately observed a dark colored handle of a gun. He told investigators that the porch light of the residence provided more than enough light and he immediately recognized the handle of the gun. He went on to describe the handle of the gun being above the suspect's waist and it appeared that it was being held in place by

"some type of material" above his stomach. The suspect then began "tugging" on the handle of the gun approximately three to four times.

Deputy Longoria told investigators that based on the statement made by the suspect was going to kill him, coupled with the way the suspect stared at him earlier and the fact the suspect was attempting to arm himself by yanking at the handle of the gun that was attached to his body, he was scared for his life. He then discharged his weapon, what he believed to be three times at the suspect. He added that he thought he was "done" if the suspect armed himself. He believed that he needed to stop the threat of the suspect and stop him from retrieving his weapon. Deputy Longoria believed he struck the suspect, due to the fact he heard the suspect grunt and observed him flinch. At the time he discharged his weapon, he was standing behind a tree in the front yard of the residence.

After discharging his weapon, the suspect ran from the lawn of the residence onto Schooling road. As the suspect ran, Deputy Longoria noticed that he was limping. Investigators asked Deputy Longoria that based on his experience, if he believed the suspect was under the influence of narcotics. He told investigators that based on the fact that his pupils were dilated, he was sweating, not following directions and had delayed responses, he formed the opinion that the suspect was under the influence of narcotics.

Deputy Longoria told investigators that during the course of his career, he had been threatened. However, he had never believed it more when the suspect told him that he was going to kill him. He believed "without a doubt" the suspect wanted him dead.

As the suspect crossed to the south side of Schooling Road, Deputy Longoria followed after him, taking cover behind vehicles that were parked along the south curbline. He could see the suspect's left arm "pumping" as he ran, but could not see the suspect's right arm. Deputy Longoria observed the suspect enter the property of a residence on the south side of Schooling Road. He then saw the suspect "leap" onto a white gate and land on his stomach, on top of the gate. The suspect's legs then went over the gate. After losing sight of the suspect, Deputy Longoria retreated back and obtained cover behind a nearby vehicle. He then broadcasted radio traffic that included a detailed description of the suspect and last seen direction of travel of the suspect. He did not recall if he broadcasted that the suspect was armed. After the suspect leapt over the white fence, Deputy Longoria heard updates broadcasted over the radio and was aware Pico Rivera Station was receiving "921" or prowler calls. After the containment was established, Deputy Longoria returned to the residence on Schooling Road where the shooting occurred and marked his fired cartridge casings. He recalled marking three cartridge casings by placing a folded yellow field identification card over them. Deputy Longoria also added that he had never seen the suspect or heard his name. He was aware of the suspect's name, only after watching news reports.

He had nothing further to add and the interview was terminated.

INTERVIEW WITH DEPUTY MIGUEL CABRERA

On July 20, 2018, at approximately 1918 hours, Investigators Lawler and Blagg interviewed Deputy Cabrera. Also present during the interview was Steven Welch, with the RLS Law Firm, who represented Deputy Cabrera. The interview took place in an office within the Pico Rivera Sheriff Station and was audio recorded. The following is a summary of the interview.

Deputy Cabrera was a Deputy Sheriff for the Los Angeles County Sheriff's Department and had been so employed for the past 10 years. On July 18, 2018, Deputy Cabrera's shift began at [redacted] hours and ended at [redacted] ours on July 19, 2018. During his shift he worked Unit 152F, which was a single man unit. During his shift, Deputy Cabrera wore his long sleeve "Class A" style uniform which consisted of a long sleeve tan shirt with Los Angeles County Sheriff's Department patches on each arm, a sheriff's badge over the left chest area and a name tag over the right chest area. He also wore green pants and a police belt that carried his handgun and other police equipment.

During his shift, he heard emergent radio traffic broadcasted from Unit 153B, that they were in pursuit of a vehicle. As he responded to the area of the pursuit he was made aware that the vehicle Unit 153B was in pursuit of was involved in a traffic collision and a deputy involved shooting had occurred. He was made aware of the developments based on radio traffic that was broadcasted. He responded to Eglise Avenue and Bert Street and then Eglise Avenue and Abbotsford Road and took a containment spot for the outstanding suspect. He knew that the suspect was a heavy set male Hispanic wearing a "Lakers" jersey, based on the radio traffic. He did not recall hearing any radio traffic that indicated if the suspect was armed or not. While on Eglise Avenue and Abbotsford Road, he was "flagged down" by four male Hispanic adults, who told him the suspect was in their backyard. One of the males provided him the address on Abbotsford where the suspect was. However, at the time of the interview he forgot the address. He recalled it started with "97" and was mid-block. He responded to the residence and took a position in front for approximately 10-12 minutes and waited to see if the suspect "jumped out".

While in front of the residence he heard updated radio traffic that the suspect had been observed running northbound on Bennington Avenue. Then he heard Aero broadcast that they had observed the suspect running eastbound on Bert Street to southbound Pico Vista Road. Aero requested units to respond to Pico Vista Road. Deputy Cabrera left his position on Abbotsford Road and responded to Pico Vista Road. When he arrived at Pico Vista Road, there were other Los Angeles County Sheriff's Department vehicles on the street. As he drove southbound on Pico Vista Road he observed the suspect approximately five houses south on Pico Vista Road, from Bert Street. The suspect was walking southbound on Pico Vista Road, on the west side of the street. He was walking through the front yards of the residences on the street and was limping. The suspect was also holding the waistband area of his shorts with his right hand. Deputy Cabrera did not recall if any of his vehicle lights were on and trained on the suspect.

Deputy Cabrera stopped his patrol vehicle on Pico Vista Road. He did not recall the address he stopped in front of but remembered stopping behind Sergeant Creta's patrol vehicle. Both he and Sergeant Creta's patrol vehicles faced southbound. He observed the suspect enter the driveway of a residence that had four cars parked in the driveway. The suspect then hid in between one of the vehicles, which was a red Ford Explorer and a wall. The wall separated the residence with the four cars parked in the driveway from the residence to the south. Deputy Carrera then took a position at the hood of Sergeant Creta's patrol vehicle. From where he was at, he could not observe the suspect. He therefore walked south, towards the middle of the street and regained sight of the suspect. He observed the suspect "squatting like a catcher" with his hands in front of him. Deputy Cabrera believed that the suspect was trying to hide from the assisting deputies that were on the lawn of the residence. The suspect was facing the deputies to the north and his right shoulder was facing Deputy Cabrera. He began to issue commands to the suspect which included "put your hands up" and "show me your hands". The commands were given in English and ignored by the suspect. After issuing the commands the suspect turned and stared at Deputy Cabrera. He described when the suspect stared at him as a "scary look, like he didn't care". Based on the stare he received from the suspect, he formed the opinion that the suspect was under the influence of methamphetamine. He reached towards his waistband several times with his right hand and Deputy Cabrera discharged his weapon. He discharged his weapon because he believed the suspect was attempting to arm himself. He was in fear for his life and his partner's lives. Deputy Cabrera recalled discharging his firearm six to eight times. He further explained that when the suspect initially reach towards his waistband, he discharged his weapon twice and issued commands for the suspect to show him his hands. After the first volley of gunfire the suspect stood up and again reached for his waist band and he discharged his weapon two more times, followed by more commands for the suspect to show him his hands. The suspect continued to ignore the commands. Deputy Cabrera estimated that he fired approximately three volleys, totaling six to eight shots. In addition to him issuing commands for the suspect to "show him his hands", he heard Deputy Stephenson issue commands as well.

After discharging his firearm at the suspect, he observed him fall forward and land on his left side. As he approached the suspect, he observed the suspect continue to reach towards his waistband with his right hand. Deputy Cabrera told investigators that he was aware the suspect was previously involved in a deputy involved shooting and believed the suspect was armed. Deputy Cabrera observed Deputy Stephenson approach the suspect and attempt to handcuff the suspect. He assisted Deputy Stephenson and conducted a quick search of the suspect's waistband. After the suspect was handcuffed, deputies moved him from between the wall and the red Explorer to the street area, so first aid could be rendered. While searching the waistband of the suspect, Deputy Cabrera discovered a black belt around his stomach area. He told investigators that the belt was cinched closed and not attached to his shorts. He also told investigators that he had never seen the suspect before.

He had nothing further to add and the interview was terminated.



INTERVIEW WITH DEPUTY MICHAEL STEPHENSON

On July 20, 2018, at approximately 2143 hours, Investigators Lawler and Blagg interviewed Deputy Stephenson. Also present during the interview was Steven Welch, who represented Deputy Stephenson. The interview took place in an office within the Pico Rivera Sheriff Station and was audio recorded. The following is a summary of the interview.

Deputy Stephenson was a Deputy Sheriff for the Los Angeles County Sheriff's Department and had been so employed for the past 10 years. On July 18, 2018, Deputy Stephenson's shift began at [redacted] hours and ended at [redacted] hours on July 19, 2018. During his shift he worked Unit 151B, which was a single man unit. During his shift, Deputy Stephenson wore his long sleeve "Class A" style uniform which consisted of a long sleeve tan shirt with Los Angeles County Sheriff's Department patches on each arm, a sheriff's badge over the left chest area and a name tag over the right chest area. He also wore green pants and a police belt that carried his handgun and other police equipment.

While at Pico Rivera Station, he heard emergent radio traffic broadcasted by Unit 153B detailing that they were involved in a pursuit of a reckless, drunk driver. Deputy Stephenson left the station and responded to the area of Bert Street and Eglise Avenue. While enroute to the area, he heard updated radio traffic that the suspect had crashed his vehicle. In all the confusion, Deputy Stephenson passed Bert Street and Eglise Avenue. He continued southbound on Passons Boulevard to eastbound Foxburry Way to northbound Eglise Avenue. While traveling southbound on Passons Boulevard he heard updated radio traffic the deputies were involved in a foot pursuit and a deputy involved shooting had occurred. He also heard the description of the outstanding suspect which was a heavy set male Hispanic, short, wearing a basketball jersey. He did not recall if the broadcast included information if the suspect was armed or not. A request was made over the radio for someone to take a containment spot mid-block on Abbotsford Road which Deputy Stephenson took. While mid-block on Abbotsford Road he turned on all the lights on his patrol vehicle and exited the vehicle.

Deputy Stephenson estimated that he stayed at his location on Abbotsford Road for approximately ten minutes. While on Abbotsford Road he heard updated radio traffic broadcasted by an unknown female that a male Hispanic, matching the description of the suspect had broken the containment and was seen running northbound on Bennington Avenue. He then heard radio traffic from Aero that they had observed the suspect running and limping eastbound on Bert Street. Deputy Stephenson left his containment spot on Abbotsford Road and responded to Bennington Avenue and Bert Street. Once there, he met with two other Sheriff's patrol vehicles. The three patrol units then drove in tandem eastbound on Bert Street to southbound Pico Vista Road. Deputy Stephenson was the third unit in line. While on Pico Vista Road, he observed the suspect running/walking southbound, on the east side of Pico Vista Road. While Deputy Stephenson was driving on Pico Vista Road, his vehicle "take down" lights were on and when he observed the suspect, he illuminated him with his vehicle spotlight. When the suspect was lit up with the spotlight, he turned his head over his left shoulder, at the deputies. He did not turn his body, only his head.

Deputy Stephenson parked his patrol vehicle, facing southwest and exited his vehicle. He did not recall the address he parked in front of. However, he remembered the residence had a memorial out in front for someone who had been murdered there prior. After he exited his patrol vehicle, he walked west and then began walking southbound on Pico Vista Road, on the front lawns of the residences. The two patrol units that were in front of him parked their patrol vehicles as well and exited. While walking southbound on Pico Vista Road, Deputy Stephenson estimated that he was approximately 30 feet from the suspect. Also while walking on Pico Vista Road, Deputy Stephenson was issuing commands to the suspect while having his firearm trained on him. The flashlight attached to his firearm was on, illuminating the suspect. The commands he was issuing were to "stop" and "show me your hands". Deputy Stephenson recalled while in the front yard of the residence that had the memorial, an elderly female Hispanic stepped outside and said "That's my grandson". Deputy Stephenson told her to go back inside. He did not know if she went back inside, due to the fact that he continued walking southbound on Pico Vista Road and did not see anyone else exit the residence.

As the suspect continued southbound on Pico Vista Road, Deputy Stephenson observed him turn into a driveway of a residence and take cover next to a red Ford Explorer. Deputy Stephenson further described the residence as having four vehicles parked in the driveway with the red Ford Explorer being parked on the southern part of the driveway. Directly north of the Explorer was another parked vehicle. Deputy Stephenson took a position in the raised flower bed of the residence where the red Ford Explorer was parked at. From his position, he could only see the head of the suspect. While in the raised flower bed he continually yelled at the suspect to show him his hands. He could not see the suspect's hands because the Explorer blocked his view. While yelling at the suspect, the suspect turned his head and starred at Deputy Stephenson. Deputy Stephenson described the stare from the suspect as "eerie" and "he starred past me, as if no one was home".

While yelling at the suspect, the suspect's attention was drawn to the east. The suspect then stood up and faced east. After the suspect stood, Deputy Stephenson was able to see more of the suspect's body, from the elbows up. Deputy Stephenson saw that the suspect was moving his hands in front of his body. He then saw the suspect's shoulders "roll forward" and his left arm extended out. It appeared to Deputy Stephenson that the suspect was forming a combative shooting stance. Deputy Stephenson then heard gun shots. He believed the suspect was shooting at his partners that were positioned to the east. He told investigators that he felt he had to do something, he felt he was in a good shooting position and had the tactical advantage. He felt he had to do something to protect his partners and that he had no other options. He therefore lined up his sights and discharged his firearm. Deputy Stephenson estimated that he heard four to five gunshots before he discharged his weapon and estimated that he fired his firearm four to five times.

Deputy Stephenson observed his first fired round impact the suspects left shoulder area. He told investigators that the bullet impact did not phase the suspect and he remained in the combat shooting stance. After discharging his weapon four to five times at the suspect, he observed the suspect fall face first. He and Deputy Hluz moved forward to the silver sedan that was parked north of the Red Explorer. He got

down on one knee and was able to see the suspect's legs. He heard Deputy Hluz say "Suspect is down, power down". Deputy Stephenson then approached the suspect and observed that he was laying on his left side, in a pool of blood. He grabbed the suspect's right shoulder area with his left hand while he trained his gun on the suspect with his right hand and rolled the suspect further to his left side. When he moved the suspect, his right hand went directly to his waistband area. Deputy Stephenson believed he was going to have to shoot the suspect again and contemplated doing so. He thought how he was going to shoot him, without striking one of his partners that was around the suspect. An assisting deputy, who he believed to be Deputy Cabrera grabbed the suspect's right hand and pushed it down. Deputy Stephenson then holstered his firearm and handcuffed the suspects left wrist. The suspect was then brought out from in-between the red Ford Explorer and a cement wall and Deputy Stephenson placed him in a "recovery position". He then began comforting the suspect by telling him the Fire Department was on their way. He observed that the suspect's mouth was moving, however, the suspect wasn't speaking. Deputy Stephenson conducted a search of the suspect's pockets and waistband and did not find anything. However, he did find a two inch nylon belt around the suspect's stomach area. He believed that since the suspect was wearing basketball shorts, he used the nylon belt as a way to secure a firearm to his body. After the shooting, Deputy Stephenson checked on his partners, made sure they were ok and not struck by gunfire. He then checked the area for his fired casings.

Deputy Stephenson told investigators that he had no previous contact with the suspect. However, he was part of a search team that was previously tasked with locating him. He went on to tell investigators that he was aware of a murder that occurred on Pico Vista Road. The murder occurred at the residence where the memorial was, where he parked his patrol vehicle in front of. The suspect was a witness to the murder and fled from detectives before they could interview him.

Deputy Stephenson had nothing more to add and the interview was terminated.

SURVEILLANCE VIDEO

On July 24, 2018, at approximately 1300 hours, Investigators Lawler and Blagg responded to [redacted] and contacted the homeowner, [redacted] The residence had a "Ring" doorbell camera that faced south towards Eglise Avenue. [redacted] did not witness Suspect Pizarro crash into the light pole and flea from deputies. She was only aware of the incident after watching her surveillance video. She told investigators that sometime after the shooting she was contacted by a [redacted] of Suspect Pizarro, who asked for a copy of the video.

While speaking to [redacted] she showed investigators the surveillance video that her "Ring" doorbell camera captured. While watching the video, investigators noted that the camera is motion activated with audio and started recording after Suspect Pizarro struck the light pole. Investigators observed the light pole swaying and then falling to the right. Investigators also observed Suspect Pizarro exit the driver's door of his vehicle and flea southbound on Eglise Avenue. Investigators observed Deputy



Longoria run after the suspect and heard him shout "stop" and "show me your hands" and Deputy Leake follow in their patrol vehicle.

Investigators obtained a copy of the surveillance video, which will be made a part of the investigative file.

RECOVERY OF EVIDENCE:

On July 24, 2018, at approximately 1400 hours, Investigators Lawler and Blagg responded to [redacted] and contacted [redacted] [redacted] is the registered owner of the red Ford Explorer, bearing California License [redacted] that was in close proximity to Suspect Pizarro when the deputy involved shooting occurred and was struck by gun fire. Investigators received information that the owners of the vehicle had replaced the front left tire of the vehicle and in doing so, recovered a fired bullet from inside the tire. [redacted] told investigators that the tire was fixed at a tire shop in the area of Imperial Highway and Santa Fe Avenue. [redacted] gave investigators the fired bullet (**Evidence Item Held SB-1**)

SEARCH WARRANT ON SUSPECT CARMELO PIZARRO'S VEHICLE:

On July 25, 2018, at approximately 0800 hours, Investigators Lawler and Blagg, along with Forensic Identification Specialist Fred Cruz processed Suspect Pizarro's vehicle at Vernola's Tow Yard. The warrant authorizing the vehicle to be processed was signed by the Honorable Judge Allen J. Webster.

Upon arriving at Vernola's Tow Yard, investigators noted the Suspect Pizarro's 2001 grey Mitsubishi Eclipse bearing California License [redacted] was stored outside, despite a request that was made the day of the incident for the vehicle to be stored inside. While viewing the inside of the vehicle, investigators observed the live rounds and the cylinder and crane arm to the revolver that they had previously observed on the driver's seat floor board, during their initial walk through of the crime scene on July 19, 2018. However, investigators did not see the glass cylindrical pipe, with a bulb on the end, commonly used to ingest methamphetamine on the driver's seat floor board that they had observed during their walk through. Investigators determined that [redacted] was the tow truck driver who had towed the vehicle from the scene of the deputy involved shooting to Vernola's Tow Yard.

While processing the vehicle, F.I.S Cruz photographed the vehicle thoroughly. From the driver's seat floor board F.I.S Cruz recovered a brown leather wallet, a black and white bandana, a six shot revolver cylinder with crane arm and five live .357 caliber rounds (**Evidence Item Held SB3- SB6**). F.I.S Cruz recovered a credit card in the name of [redacted] (**Evidence Item Held SB-2**) from the side pocket of the driver's side door. On the driver's seat of the vehicle, another black and white bandana was recovered (**Evidence Item Held SB-7**). On the floor board of the front passenger seat a machete, approximately 12" in length was recovered (**Evidence Item Held SB-8**). In the back seat of the vehicle, a "Bud Ice" beer bottle was recovered (**Evidence Item Held SB-9**). In addition, two cellphones were recovered from inside the vehicle. One was recovered from the center console of the vehicle (**Evidence Item Held SB-10**)

and the other was recovered between the driver's seat and the center console of the vehicle (**Evidence Item Held SB-11**)

F.I.S Cruz will prepare a report detailing his actions while processing the vehicle, which will be made a part of the investigative file.

SUSPECT PIZARRO'S CELLPHONES

Once in possession of the two cellphones recovered while processing Suspect Pizarro's vehicle, Investigator Lawler authored a search warrant to access and download the information contained in the phones. The warrant was signed by the Honorable Judge Lori Ann Fournier on July 27, 2018.

While viewing the results of downloaded cellphones, investigators noted that in regards to the 'Samsung" cellphone, Suspect Pizarro had a missed call from someone listed as [redacted] with a number of [redacted] at 6:55PM on July 18, 2018 and an outgoing call to someone listed as [redacted] with a number of [redacted] at 10:53AM on July 18, 2018. There were no other calls made on July 18, 2018 with the "Samsung" cellphone. Investigators noted that Suspect Pizarro was texting [redacted] and someone listed as [redacted] with a number of [redacted] on July 18, 2018. The conversation started at 5:14PM and ended at 11:46PM. There was no other communication after that.

In regards to the "Unnecto" cellphone, investigators noted that there were no calls or text messages from the cellphone since May 5, 2018.

Detective Groenow, with the Southern California High Tech Taskforce conducted the examination of the cellphones. He authored a supplemental report detailing his actions, which will be made a part of the investigative file.

REVOLVER POSSESSED BY SUSPECT PIZARRO

During the course of their investigation, investigators determined that [redacted] MH[redacted] was the registered owner of the revolver that Suspect Pizarro was in possession of during the deputy involved shooting. Investigators responded to the address on file of [redacted] and attempted to make contact with him. However, no one was home.

On July 27, 2018, Investigator Lawler received a phone call from [redacted] the [redacted] of [redacted] Alicia told Investigator Lawler that her [redacted] had recently retired and he currently lived in Costa Rica. When asked about the .357 caliber revolver registered to her [redacted] she told Investigator Lawler that the revolver was taken during a burglary that occurred in September of 2016.

Investigators were able to locate the Pico Sheriff's station report associated with the burglary. The report was documented under file # 916-07215-1510-072 and occurred between the dates of September 17, 2016 and September 18, 2016. During the burglary a safe was taken. The .357 caliber revolver was located inside the safe.



A copy of the report detailing the theft of the .357 caliber revolver will be made a part of the investigative file.

POSTMORTEM EXAMINATION:

On July 30, 2018, at approximately 1330 hours, Investigators Lawler and Blagg along with Senior Investigator Brandon Lenhart, with the District Attorney Bureau of Investigations, attended the postmortem examination conducted on the remains of Suspect Carmelo Pizarro. The examination was conducted by Doctor Miller at the Los Angeles County Coroner's office.

After the autopsy investigators learned that Suspect Pizarro was shot six times. Once above the left ear, once to the upper right chest area, twice to the middle back area, once to the left elbow area and once to the left thigh area. Doctor Miller informed investigators that the gunshot wounds above the left ear and to the right chest area, were potentially fatal. It was also determined that Suspect Pizarro's urine tested positive for methamphetamine and THC. During the autopsy four fired bullets were recovered.

Doctor Miller determined the cause of death to be homicide due to multiple gunshot wounds. For further information regarding Doctor Miller's actions and observations, refer to Coroner's Protocol, which will be obtained and made a permanent part of the investigative file.

INTERVIEW WITH DEPUTY PATRICK WEINMANN

On July 30, 2018, at approximately 1745 hours, Investigators Lawler and Blagg interviewed Deputy Patrick Weinmann. The interview took place in a conference room at Aero Bureau and was audio recorded. The following is a summary of the interview.

Deputy Weinmann was a Deputy Sheriff for the Los Angeles County Sheriff's Department and had been so employed for the past 13 years. On July 18, 2018, Deputy Weinmann's shift began at [redacted] hours and ended at [redacted] hours on July 19, 2018. During his shift he worked as the Tactical Flight Deputy on Air-24. The pilot during the shift was Sergeant Paul Schuerger [redacted]

Deputy Weinmann told investigators that he and Sergeant Schuerger responded to the Pico Rivera area, from the East Los Angeles area because they heard radio traffic regarding a Pico Rivera Station deputy in pursuit of a reckless, drunk driver. As they responded to the area, they heard updated radio traffic that the vehicle pursuit went to a foot pursuit and a deputy involved shooting occurred. A last seen direction of the suspect along with a suspect description which was a male Hispanic adult, heavy set, wearing a "Kobe Bryant" jersey was broadcasted. When Deputy Weinmann arrived overhead, he began to set up a containment for the assisting units on the ground.

While setting up the containment, he heard radio traffic that Pico Rivera Station was receiving "921" calls (prowler) from residents within the containment. While still

establishing the containment, he heard a female deputy broadcast that an individual that matched the description of the suspect had just ran northbound from her containment position. The female deputy that broadcasted the information was on the easternmost part of the containment.

While orbiting the area, Sergeant Schuerger observed an individual that matched the description of the suspect, outside of the established containment. The suspect was walking eastbound on Bert Street. Upon observing the suspect, Deputy Weinmann illuminated him with the spotlight affixed to the helicopter. The suspect did not look in the direction of the helicopter and continued walking eastbound on Bert Avenue to south bound Pico Vista Road. Deputy Weinmann believed the suspect's lack of reaction to being under the helicopter spotlight was unusual. Deputy Weinmann requested assisting units to respond to Pico Vista Road. While watching the suspect, he observed him running southbound on Pico Vista Road, along the west curb. While the suspect was running, Deputy Weinmann noticed that he was limping and had his right hand down by his side. While continuing to watch the suspect, Deputy Weinmann observed him stop running and begin to walk at a fast pace. Deputy Weinmann relayed the information to the assisting units on the ground that the suspect was concealing his right hand.

While continuing to watch the suspect, he observed the suspect hide behind a burgundy SUV that was parked in the driveway of a residence on Pico Vista Road. Deputy Weinmann relayed the suspect's location to the assisting units that were on Pico Vista Road. While watching the suspect hiding behind the burgundy SUV, he observed the suspect crouch down and pop up three to four times. He also observed the suspect looking in the direction of the deputies that were positioned north of him. He told investigators that he could not tell what the suspect was doing with his hands, due to the fact that he was directly above the suspect and had no vertical perception.

Deputy Weinmann estimated that after observing the suspect crouch down and pop back up three to four times, 5-10 seconds passed and then he heard radio traffic that a deputy involved shooting had occurred. Deputy Weinmann also added that during the incident, he was operating the radio and was responsible for all radio communication. During the incident he did not use the "FLIR" that was attached to the helicopter and did not issue any commands via the helicopter's Public Announcement system.

Deputy Weinmann had nothing further to add and the interview was terminated.

INTERVIEW WITH [redacted]

On September 7, 2018, Investigator Lawler interviewed [redacted] the tow truck driver who towed Suspect Pizarro's 2001 grey Mitsubishi Eclipse bearing California License [redacted] the day of the deputy involved shooting. The interview took place at Vernola's Tow. Upon contacting [redacted] he informed Investigator Lawler that he did not tow a Mitsubishi Eclipse from the Pico Rivera area on July 19, 2018. He told Investigator Lawler that he responded to the scene, however, his tow truck broke and he was unable to tow the vehicle. Investigator Lawler and [redacted] then contacted [redacted] the [redacted] While speaking with

[redacted] she provided paper work that showed [redacted] did in fact tow Suspect Pizarro's 2001 grey Mitsubishi Eclipse bearing California License [redacted] After speaking with [redacted] told Investigator Lawler that he recalled towing the vehicle. Investigator Lawler asked him if he recalled observing live rounds on the driver's side floor board or a machete on the passenger side floor board. He told investigator Lawler that he did not remember seeing the items. Investigator Lawler asked him if he recalled seeing a methamphetamine pipe on the driver's side floor board. He informed him he did not recall observing anything on the floor boards of the vehicle. He added that shortly after investigators processed the vehicle he was drug tested, which he passed. [redacted] told Investigator Lawler that [redacted] was drug tested as well.

[redacted] had nothing more to add and the interview was terminated.

EXAMINATION OF SUSPECT PIZARRO'S FIREARM:

On September 14, 2018, Investigators Lawler and Blagg were notified by Senior Criminalist Amanda Davis that the cylinder and crane arm (**Evidence Item Held SB-5**) was installed into the Smith & Wesson revolver (**Evidence Item Held #11**) that was recovered in the backyard of the residence located at [redacted] It was determined that the cylinder fit properly into the revolver and functioned properly.

It was also determined that two bullet fragments recovered during the autopsy of [redacted] documented under Sheriff's File #018-04585-1517-011 were fired from the Smith & Wesson revolver (**Evidence Item Held #11**) that Suspect Pizarro had in his possession. The murder of [redacted] occurred in front of Suspect Pizarro's residence [redacted] and the memorial for him was the memorial that Deputy Stephenson recalled observing and parking next to.

The supplemental report authored by Amanda Davis will be made a part of the investigative file.

BY: DETECTIVE SCOTT LAWLER #[redacted]
DETECTIVE STEVE BLAGG #[redacted]
APPROVED BY: LIEUTENANT SCOTT HOGLUND #[redacted]
DETECTIVE DIVISION-HOMICIDE BUREAU

SH
02-28-19



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF PROSECUTION SUPPORT OPERATIONS
JUSTICE SYSTEM INTEGRITY DIVISION

GEORGE GASCÓN • District Attorney
JOSEPH F. INIGUEZ • Chief of Staff

DIANA M. TERAN • Director

September 27, 2022

Captain [redacted]
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

Re: Fatal Officer Involved Shooting of Carmelo Pizarro
J.S.I.D. File #18-0307
L.A.S.D. File #018-05051-1517-013

Dear Captain [redacted]



The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the July 19, 2018, fatal shooting of Carmelo Pizarro by members of the Los Angeles County Sheriff's Department. Our detailed analysis of this incident is contained in the attached memorandum.

Very truly yours,

GEORGE GASCÓN
District Attorney

ALAN YOCHELSON
Head Deputy District Attorney
Justice System Integrity Division

c: Deputy Brandon Longoria, #[redacted]
Deputy Miguel Cabrera, #[redacted]
Deputy Michael, Stephenson, #[redacted]

Hall of Justice
211 West Temple Street, Suite 1200
Los Angeles, CA 90012
(213) 974-3888
Fax: (213) 626-5125
WEBSITE: http://da.lacounty.gov

MEMORANDUM

TO: CAPTAIN [redacted]
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

FROM: JUSTICE SYSTEM INTEGRITY DIVISION
Los Angeles County District Attorney's Office

SUBJECT: Fatal Officer Involved Shooting of Carmelo Pizarro
J.S.I.D. File #18-0307
L.A.S.D. File #018-05051-1517-013

DATE: September 27, 2022

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the July 19, 2018, fatal shooting of Carmelo Pizarro by Los Angeles County Sheriff's Department (LASD) Deputies Brandon Longoria, Miguel Cabrera, and Michael Stephenson. We have concluded that Deputy Longoria acted lawfully in self-defense and defense of another when he used deadly force. It cannot be proven beyond a reasonable doubt that Deputies Cabrera and Stephenson did not act lawfully in self-defense and defense of another when they used deadly force against Carmelo Pizzaro.

The District Attorney's Command Center was notified of the shooting at approximately 3:52 a.m. on July 19, 2018. The District Attorney Response Team responded to the location. They were given a briefing regarding the circumstances surrounding the shooting and a walk-through of the scene.

The following analysis is based on investigative reports, firearm analysis reports, coroner's reports, photographs, 9-1-1 calls, radio traffic, surveillance video, and witness statements submitted to this office by LASD Homicide Bureau Detectives Scott Lawler and Steve Blagg.[1]

Deputies Longoria, Cabrera and Stephenson provided voluntary statements that were considered as part of this analysis.

Longoria and Stephenson were deposed in a related civil action and those depositions were also considered.[2]

[1] The deputies were not wearing body cameras.

[2] The civil litigation resulted in a one-million-dollar settlement. Longoria and Stephenson were both deposed in that litigation and articulated in detail their belief that Pizarro presented a deadly threat.

FACTUAL ANALYSIS

Initial Contact

On July 19, 2018, at approximately 1:37 a.m., LASD Deputies Sean Leake and Brandon Longoria were in uniform and on patrol in a marked vehicle when they saw a car stopped across traffic lanes on a surface street. The car did not have any lights on. Leake and Longoria parked their patrol car, exited, and walked up to the car to investigate. As they were approaching, the driver and sole occupant, later identified as Carmelo Pizarro, sped away.

The Pursuit and Crash

Leake and Longoria re-entered their patrol car and pursued. Pizarro reached speeds of up to 90 m.p.h., weaved in-and-out of traffic, and ran a red light. Leake initiated the patrol car's overhead lights and sirens and radioed that they were in pursuit of a reckless drunk driver. Pizarro attempted a high-speed turn, lost control, and crashed into a light pole and a parked car. Pizarro emerged from the crashed car, made eye contact with Longoria, and moved his hands around his stomach and chest area. Longoria ordered Pizzaro to show his hands and not move. Pizzaro ignored Longoria's commands and ran away. Longoria chased Pizzaro on foot while Leake followed in the patrol car.

Video of the Crash Scene

A surveillance video from a residence adjacent to the crash scene started recording seconds after the crash. Pizarro's crashed car cannot be seen because it is obstructed by a parked car. Longoria is seen pointing his service weapon at Pizarro and can be heard ordering Pizarro to show his hands and not to move. Pizarro ran away and, when the video is played in real time, Pizarro can be seen holding his waistband with his right hand, as shown in the photo below:

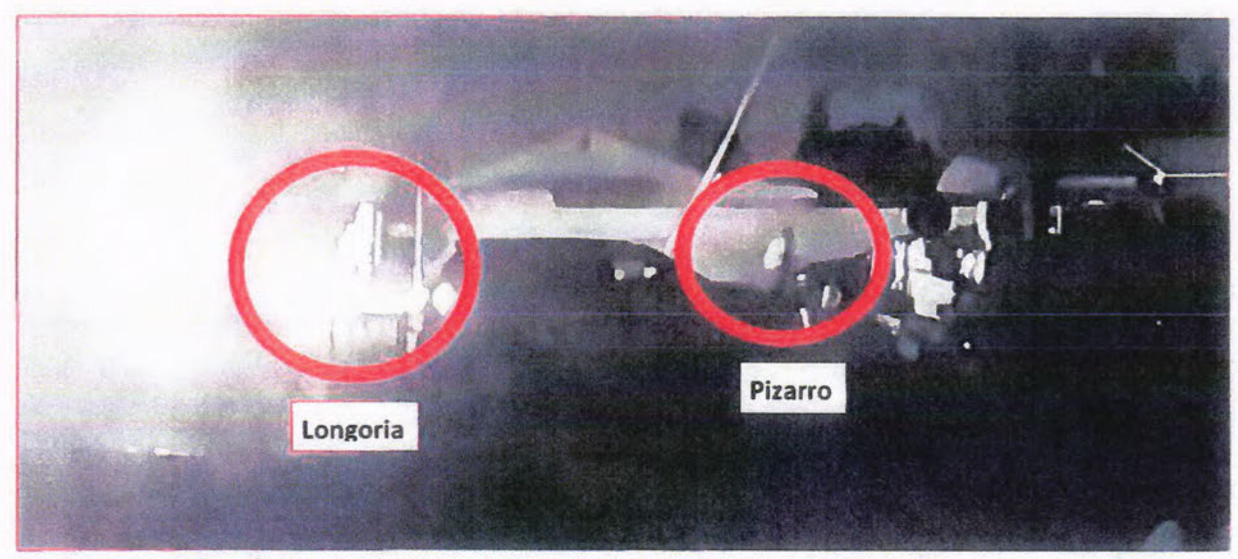


Figure 1- Video of Longoria attempting to hold Pizarro at gunpoint, and Pizarro running away holding his waistband.

The First Shooting

Pizzaro stopped and crouched behind a car parked in the driveway of a home. Longoria positioned himself approximately 20 feet from Pizzaro and ordered Pizzaro to show his hands. Pizzaro ignored the command, held a car's rearview mirror in his hand, and pointed it at Longoria "like a simulated firearm." Pizzaro dropped the mirror, stood up, and lunged at Longoria. Longoria stated he was in fear and backed up from Pizzaro, who stated, "I am going to kill you." Pizarro moved to the front yard of the home while blading his body toward Longoria. Pizzaro lifted his jersey, revealing the dark colored handle of a gun, which was held in place by a belt around Pizzaro's stomach. Pizarro was wearing basketball-style shorts that sagged below his waistline. A photo of those shorts is shown below:

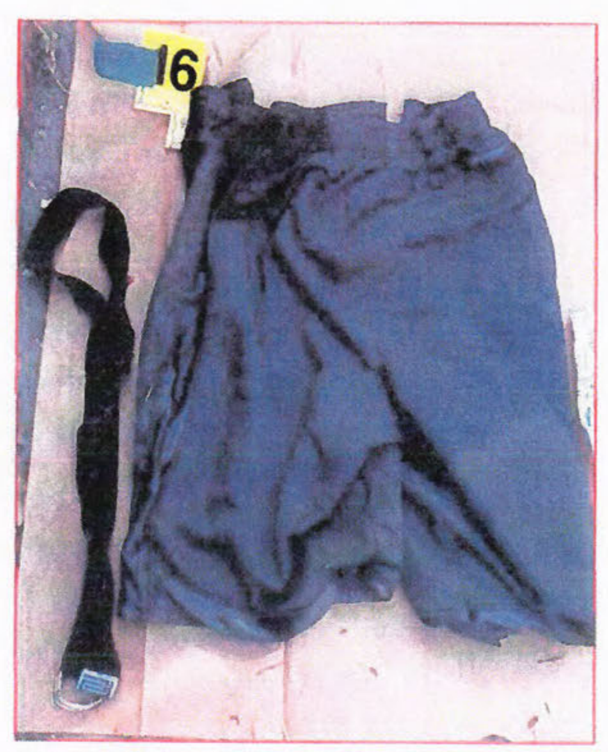


Figure 2- Photo of Pizarro's basketball shorts and belt.

Pizzaro tugged at the handle of the gun approximately three to four times. Longoria stated he believed Pizzaro was drawing the weapon and intended to carry out his threat to kill Longoria. In fear for his life, Longoria drew his duty weapon and fired four times, striking Pizzaro.[3] Pizzaro ran across the street and appeared to be limping. Longoria followed him, taking cover behind parked cars. Pizzaro leaped over the fence of a home, at which time Longoria lost sight of him. LASD issued a broadcast indicating a deputy involved shooting had occurred and a foot pursuit was underway. The broadcast did not indicate whether the suspect was armed.

[3] Longoria estimated he fired his duty weapon three times; a round count of Longoria's service weapon indicates he discharged his duty weapon four times. Neither the investigative reports nor Longoria's voluntary statement indicate how far Longoria was from Pizzaro when he discharged his firearm.

Pizzaro's Gun



Figure 3- Photo of Pizzaro's gun located in [redacted] backyard.

[redacted] was with [redacted] in his backyard when he heard a man on the other side of the cinderblock wall that separates [redacted] property from his rear [redacted] property. The man yelled, "Fuck!" and threw an item over the wall, which landed in [redacted] backyard. [redacted] walked over to the item and recognized it as a firearm. He called 9-1-1 and informed dispatchers of his discovery.[4]

Within minutes after the second deputy involved shooting, deputies responded to [redacted] residence and observed the firearm that had been thrown over [redacted] back wall. It was identified as a Smith & Wesson .357 magnum revolver, missing its cylinder. The corresponding six shot cylinder and five live .357 caliber rounds were recovered from the driver's floorboard of the Mitsubishi during a search warrant executed on July 25, 2018.[5]

The Second Shooting

The LASD airship advised deputies that Pizzaro was running through a residential area. Deputy Miguel Cabrera responded to the location in his patrol car and stated he observed Pizzaro passing through the front yards of various residences while Pizzaro held the waistband area of his sagging

[4] The deputies involved in the second officer involved shooting were not informed that Pizzaro had discarded the firearm.

[5] The gun was swabbed for DNA but not tested. The absence of Pizarro's DNA on the gun would not alter the conclusion in this matter.

shorts with his right hand.[6] Pizzaro entered the driveway of one of the residences and crouched down between two of the cars parked in the driveway. In this position, Pizzaro was facing north toward additional deputies (including Deputy Michael Stephenson) standing on the lawn, with Cabrera standing east of Pizzaro. Cabrera and Stephenson issued multiple commands to Pizzaro to, "Put your hands up" and "Show me your hands." Meanwhile, Deputies Miguel Hluz and Sergeant Blanca Creta arrived at the location.

Pizzaro ignored Cabrera's commands and, according to Cabrera and Hluz, reached toward his waistband. Pizzaro stood up, turned toward Cabrera, and stared at him. Pizzaro had his back toward Stephenson at this time. From Stephenson's vantage point, Pizzaro appeared to roll his shoulders forward and extend his left arm outward. Stephenson believed Pizzaro was forming a combative shooting stance. Cabrera said he observed Pizzaro turn toward him (Cabrera) while reaching toward his waistband. He said he suspected Pizzaro was attempting to arm himself and in fear of his and other deputies' lives, Cabrera fired his duty weapon twice.[7] According to Cabrera, Pizzaro once again reached for his waistband, and Cabrera responded by firing an additional seven times.[8]

Stephenson stated he initially went to the scene of the crash and heard the broadcast that there was a deputy involved shooting. He monitored the radio traffic and learned that 9-1-1 callers reported the suspect running through backyards. The LASD airship also reported a person matching the suspect description of the man involved in the foot pursuit and shooting exiting the containment and walking. Stephenson drove to that location and saw the suspect, later identified as Pizarro, walking away. Stephenson said he ordered Pizarro to stop but Pizarro did not comply and continued to walk away, with his hands concealed in front of him and appearing to be "digging" in his shirt. Pizarro went into the driveway of a residence and crouched down behind a parked car. Stephenson screamed at Pizarro multiple times to show his hands. Pizarro, who was partially obstructed from view by the parked car, stood up and extended his left arm, which Stephenson said he perceived as Pizarro taking a shooting stance. Stephenson could not see Pizarro's left hand or right arm. He saw Pizarro's left arm but was unable to discern at that moment if Pizarro had anything in his hands. Stephenson then heard gunshots and believed they were originating from Pizarro and aimed at Cabrera, Creta, and Hluz. Stephenson's perception was based in part on his observation that Pizarro was like a "statue" and did not move when shots were fired. Stephenson believed if Pizarro was not moving and reacting to being shot at, as would be expected, Pizarro was the person shooting. In a decision made in less than three seconds and believing Pizzaro had already fired in the other deputies' direction, Stephenson fired his duty weapon five times at Pizarro from behind.[9]

[redacted]

[7] Cabrera was aware Pizzaro was previously involved in a deputy-involved-shooting and believed Pizzaro was armed. Neither the investigative reports nor Cabrera's voluntary statement indicate how far Cabrera was from Pizzaro when he discharged his firearm.

[8] Cabrera estimated he fired his duty weapon six to eight times; a round count conducted of Cabrera's service weapon indicates the gun was discharged nine times.

[9] Neither the investigative reports nor Stephenson's voluntary statement indicate how far Stephenson was from Pizzaro when he discharged his firearm. Hluz was running toward a tree to take cover when he heard gunshots. He believed Pizzaro was shooting at the other deputies. Hluz then observed Stephenson shoot the suspect. Creta observed Pizzaro attempting to conceal his hands in front of his body, take a shooting stance, then walk behind the SUV. She lost sight of Pizarro at that time. Moments later, she saw Cabrera fire toward the area she had last seen Pizarro.

Pizzaro fell to the ground, landing on his left side. Cabrera and Stephenson were able to secure Pizzaro's hands and handcuff him. They searched Pizzaro's waistband and observed a black belt tied around Pizarro's stomach. They did not recover a weapon. Deputies rendered aid, fire personnel responded to the scene, and Pizzaro was pronounced deceased at 2:34 a.m.

Several individuals in the area were interviewed concerning their observations. [redacted] indicated he heard deputies yelling, "Get down! Get down!" He also heard gunshots but did not see the officer involved shooting. [redacted] stated she heard male voices yelling, "Stop!" and heard approximately four to six gunshots. She did not see what transpired. [redacted] heard a male voice say, "Please put your hands in the air," and another male voice respond with, "What are you going to do? Shoot me?" She then heard two gunshots but did not see the officer involved shooting.

[redacted] is Pizzaro's [redacted] She indicated she heard a helicopter overhead, which prompted her to walk to the front door and look outside. She observed Pizarro walking past the house, with his hands by his side, toward a neighboring residence out of view. She noticed multiple deputies on the street and sidewalk with their guns drawn. [redacted] yelled to them, "Don't shoot! That's my [redacted] She heard the deputies say, "Stop!" and "Put your hands up!" before hearing five gunshots. She then observed deputies dragging her [redacted] from the driveway of a nearby home.

Radio Traffic

An LASD airship broadcast to the deputies that Pizarro was walking, and his right hand could not be seen.

9-1-1 Calls

A 9-1-1 caller reported that someone had "dropped something" in a backyard (the gun was later found in that location).

Autopsy

Deputy Medical Examiner Michael J. Miller performed an autopsy on July 29, 2018. Dr. Miller determined Pizzaro's cause of death to be multiple gunshot wounds. The autopsy revealed Pizzaro had sustained six gunshot wounds: one to his head (entry through the left temporal scalp moving left to right and downward), one to his right upper chest (moving downward), two to his left upper back (one moving left to right and downward; the other moving left to right), one to his left thigh (moving front to back and downward), and one to his left elbow (moving left to right and slightly upward). The gunshot wounds to his head and left upper back were determined to be "potentially rapidly fatal." A subsequent toxicology test revealed Pizzaro had alcohol, THC, amphetamine, and methamphetamine in his blood at the time of his death.

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of others if the person claiming the right of self-defense or the defense of others actually and reasonably believed

that he or others were in imminent danger of great bodily injury or death. Penal Code section 197; *People v. Randle* (2005) 35 Cal.4th 987, 994 (overruled on another ground in *People v. Chun* (2009) 45 Cal.4th 1172, 1201); *People v. Humphrey* (1996) 13 Cal.4th 1073, 1082; *see also,* CALCRIM No. 505.

A police officer may use objectively reasonable force to effect an arrest, prevent escape, or overcome resistance of a person the officer believes has committed a crime. Penal Code section 835a. An officer "may use all the force that appears to him to be necessary to overcome all resistance, even to the taking of life; [an officer is justified in taking a life if] the resistance [is] such as appears to the officer likely to inflict great bodily injury upon himself or those acting with him." *People v. Mehserle* (2012) 206 Cal.App.4th 1125, 1146. A killing of a suspect by a law enforcement officer is lawful if it was: (1) committed while performing a legal duty; (2) the killing was necessary to accomplish that duty; and (3) the officer had probable cause to believe that (a) the decedent posed a threat of serious physical harm to the officer or others, or (b) that the decedent had committed a forcible and atrocious crime. CALCRIM No. 507, Penal Code section 196. A forcible and atrocious crime is one which threatens death or serious bodily harm. *Kortum v. Alkire* (1977) 69 Cal.App.3d 325, 333.

An officer has "probable cause" in this context when he knows facts which would "persuade someone of reasonable caution that the other person is going to cause serious physical harm to another." CALCRIM No. 507. When acting under Penal Code section 196, the officer may use only so much force as a reasonable person would find necessary under the circumstances. *People v. Mehserle* (2012) 206 Cal.App.4th 1125, 1147. And he may only resort to deadly force when the resistance of the person being taken into custody "appears to the officer likely to inflict great bodily injury on himself or those acting with him." *Id.* at 1146; *quoting People v. Bond* (1910) 13 Cal.App. 175, 189-190. The prosecution has the burden of proving beyond a reasonable doubt that a killing was not justified. CALCRIM Nos. 505, 507.

In protecting himself or another, a person may use all the force which he believes reasonably necessary, and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent the injury which appears to be imminent. CALCRIM No. 3470. If the person's beliefs were reasonable, the danger does not need to have actually existed. *Id.*

"Where the peril is swift and imminent and the necessity for action immediate, the law does not weigh in too nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety." *People v. Collins* (1961) 189 Cal.App.2d 575, 589. In evaluating whether a police officer's use of deadly force was reasonable in a specific situation, it is helpful to draw guidance from the objective standard of reasonableness adopted in civil actions alleging fourth amendment violations. "The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than the 20/20 vision of hindsight…The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation." *Graham v. Connor* (1989) 490 U.S. 386, 396-397.

In the instant matter, the available evidence shows Pizzaro fled in his vehicle from the deputies at a high rate of speed, ultimately crashing into a pole and a parked vehicle. He then fled on foot and ignored deputies' orders to show his hands. He crouched behind a car and stated to Longoria, "I am going to kill you." Pizzaro ignored Longoria's commands to show his hands, and subsequently lifted his jersey to reveal a gun held in place by a belt. Pizzaro tugged at the gun. In response, and reasonably in fear for his life, Longoria fired his duty weapon at Pizzaro. Longoria's use of force was reasonable under these circumstances.

Pizzaro then fled from Longoria while continuing to hold his waistband and—unknown to deputies at the scene—discarded his weapon in a nearby backyard. Cabrera, Stephenson, Creta, and Hluz responded to the call, were aware a deputy involved shooting had occurred, the suspect was possibly armed, and a foot pursuit of the suspect was underway. Cabrera, Stephenson, Creta, and Hluz located Pizzaro, who matched the suspect description and location, as broadcast by the LASD airship. Cabrera and Stephenson issued multiple commands to Pizzaro to show his hands, which he ignored. According to Cabrera, Pizzaro turned toward him while reaching toward his waistband.[10] Aware that a deputy involved shooting had occurred previously, believing Pizarro to still be armed, and in fear for his life, Cabrera said he fired his duty weapon twice. Pizzaro once again reached for his waistband, according to Cabrera, and he responded by firing an additional four to seven times.

Based on his vantage point and knowing that he was dealing with a possibly still armed suspect who was not complying with commands and attempting to conceal himself behind a parked car, Stephenson stated he believed Pizzaro took a shooting position and fired in Cabrera's direction. In fear for Cabrera, Creta, and Hlutz's lives, Stephenson discharged his duty weapon at Pizarro. Stephenson's actions were responsive to the reports of his fellow deputies who relayed that Pizzaro was armed with a handgun, and Stephenson's personal observations of Pizarro's behavior of holding his waistband and concealing his hands in front of him (as shown in surveillance video after the first shooting), not complying with commands, attempting to conceal himself, and taking a shooting position. Based on the totality of the circumstances, Pizarro's actions could reasonably be interpreted by a reasonable deputy as threatening even though, in hindsight, Pizarro's actions were not life-threatening. Stephenson's conduct and voluntary statement indicated he believed Pizarro was an armed suspect who presented a deadly threat, and the evidence is consistent with that belief being reasonable. The circumstances immediately prior to, and during the shooting, put Stephenson in a situation in which he was required to make a split-second judgment. His fear that Pizzaro was shooting at deputies was understandable and justified given that he believed he was dealing with an armed suspect who had been involved in a deputy involved shooting minutes earlier. There is no evidence to suggest that Stephenson did not honestly and reasonably believe that Pizarro was an armed suspect who presented a deadly threat when he fired his service weapon to protect himself and others.

CONCLUSION

In sum, what transpired in this incident was a series of events put in motion by Pizzaro. A reasonable trier of fact is likely to find that Pizarro put Longoria, Cabrera, and Stephenson and the other deputies in a situation that caused them to make a split-second decision regarding the

[10] It is unclear why Pizzaro continued to move toward and grab at his waistband once he had discarded the weapon.

amount of force to use in defending themselves and others from a perceived armed attacker, who was in fact armed with a handgun at one point during the incident.

We find that Deputy Longoria acted lawfully in self-defense and defense of another when he used deadly force against Carmelo Pizzaro.

Based on the foregoing circumstances, it cannot be proven beyond a reasonable doubt that Deputies Cabrera and Stephenson did not act lawfully in self-defense and defense of another when they used deadly force against Carmelo Pizzaro.